

Town of Palmyra - Minutes

1977



January 13, 1977

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. on Thursday, January 13, 1977 in the Town Offices, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Glenn Wideman, Nelson Cook, David Lyon and Edwin Wheeler, Town Attorney Paul Rubery, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending were: Paul Burkhardt, Bill Contant, Kay Trowbridge, Ann Tyler and Steve Dingman.

MEETING  
OPENED

A motion to dispense with the reading of and approve the minutes as submitted of the December meetings and the Organizational meeting was made by David Lyon, seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION TO  
APPROVE  
MINUTES

The following communications were read by the Clerk (1) Notice from the Association of Towns of the State of New York in regard to the Annual meeting to be held in New York City, February 21 - 23, 1977 (2) Public Notices from the Public Service Commission in regard to changes in Gas and Electric rates (3) Memo from Town Attorney Paul Rubery in regard to Mr. Thomas Blackburn, a violator of the Town Zoning Ordinance.

COMMUNI-  
CATIONS

A motion made by Glenn Wideman, seconded by David Lyon approved the Contract between the Kings Daughters Free Library and the Town of Palmyra for the year 1977. Motion passed with 5 ayes and no nos.

MOTION TO  
APPROVE  
CONTRACT  
W/ LIBR.

A motion was made by David Lyon, seconded by Nelson Cook to approve the Contract between the Palmyra Community Center and the Town of Palmyra for the year 1977 and to authorize the Supervisor to sign the Contract on behalf of the Town Board. Motion passed with 5 ayes and no nos.

MOTION TO  
APPROVE  
CONTRACT W/  
PAL. COMM.CTR

A motion was made by David Lyon, seconded by Glenn Wideman to approve the Contract between the Palmyra Emergency Volunteer Ambulance Service and the Town of Palmyra for the year 1977 and to authorize the Supervisor to sign on behalf of the Town Board. Motion passed with 5 ayes and no nos.

MOTION TO  
APPROVE  
CONTRACT W/  
PEVAS

A motion was made by Edwin Wheeler, seconded by David Lyon to post the Legal Notice for the Public Hearing for the application of John Bell for a Special Authorization. Motion passed with 5 ayes.

MOTION TO  
POST LEGAL  
NOTICE-BELL

The following reports of Zoning Violators was offered by Zoning Officer Francis Toole (1) Mr. Thomas Blackburn - Ill health and surgery at this time will postpone compliance. A complaint from Mr. Blackburn concerning a broken tile, perhaps in the area of the Town Barns was referred to the Highway Committee and the Supervisor will send a letter to the Village of Palmyra informing them that they are dumping on Mr. Blackburn's property on North Creek Road and not on the Hudak property (2) Mr. Musshaven's Attorney has contacted the Town Attorney and a postponement has been agreed upon (3) Yaeger Collision Shop has not complied completely (4) Countryman on Whitbeck Road will be checked (5) Gary Robbins is complying at this time.

ZONING  
VIOLATORS

The Board turned their attention to the Annual Reports. After reviewing and discussing these reports, a motion to accept the Annual Reports as submitted and to attach same to the minutes of this meeting was made by Edwin Wheeler, seconded by Glenn Wideman and passed with 5 ayes and no nos.

MOTION TO  
APPROVE  
ANNUAL RE-  
PORTS

Nelson Cook, Chairman of the Water Committee, reported that he has talked with Raymond Smith and Harold Kreuger concerning the position of Water District Superintendent.

David Lyon, Chairman of the Highway Committee, reported on the progress being made in getting rid of surplus items at the Town Barns and in the transfer of property and old Highway building to Richard McCarthy. The Town Attorney requested Certified copies of Resolutions declaring the land and building

WAYNE CO.  
NUMBERING  
SYSTEM

surplus, authorizing the sale and executing the deed.

At this time, Wayne County Planner Robert Peterson along with Harry White, Palmyra Fire Department, Herman Lunser, Port Gibson Fire Department and Allan Gator, East Palmyra Fire Department came before the Town Board to explain the Wayne County Numbering System. This system, the benefits gained from it, possible ways of financing it, source of help to set up the system - all were discussed at length.

MOTION TO  
CONSIDER  
NO. SYS.

A motion was offered by Edwin Wheeler, seconded by Glenn Wideman to consider entering into the Wayne County Numbering System. Motion passed with 5 ayes and no nos.

Supervisor Aplin reported that the Town Engineer Tony Malone is working on the study of the Brush Landfill site. Town Attorney Paul Rubery and Supervisor Aplin reported on the progress of the search being done for the present landfill site.

Town Attorney Paul Rubery reported on the status of the Land Acquisition-Penn Central property located along Quaker Road between Division Street and Maple Avenue.

MOTION RE:  
TN. BD. MTG.

A memorandum from the Department of State, Albany, New York in regard to the Open Meetings Law was discussed by the Board. A motion was made by David Lyon to establish the 2nd and 4th Thursdays of each month as the regular meetings of the Town Board of the Town of Palmyra. Motion was seconded by Edwin Wheeler and passed with 5 ayes and no nos. Letters stating the dates of the regular meetings for the year 1977 will be sent to the Democrat & Chronicle, Times-Union, the Courier-Journal, and the Newark Courier Gazette and will be posted on the Town, Village and Bank Bulletin Boards.

VOTING MACH.  
CONTR.

Supervisor Aplin presented the Voting Machine Contract to the Board. The Contract was discussed with the Town Attorney making some recommendations which Mr. Aplin will check on.

Nothing further was reported concerning the lease for the office.

MOTION TO  
PAY BILLS

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

GENERAL FUND	VOUCHERS # 1 - 25	\$ 3,682.10
PARTTOWN FUND	" # 1 & 2	215.28
HIGHWAY ITEM I	" # 1 - 3	800.84
HIGHWAY ITEM III	" # 1 - 10	414.13
HIGHWAY ITEM IV	" # 1 - 8	10,179.18
FEDERAL REVENUE	" # 1	15,000.00
TOTAL		<u>\$ 30,291.53</u>

MOTION TO  
CLOSE

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

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

January 27, 1977

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened Thursday, January 27, 1977 at 7:30 P.M. in the Town Offices by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Glenn Wideman, Nelson Cook and David Lyon. Zoning Officer Francis Toole and Town Clerk Betty Stubbings.

The following communications were read by the Clerk: (1) Notice of Public Hearing from the Town of Macedon in regard to proposed amendments to the Zoning Ordinance (2) A communication from the New York State Electric & Gas Corp in

regard to an easement request for the setting of a pole for Electric service.

The Town Attorney joined the meeting at this time.

The following Committee reports were offered:

COMMITTEE REPORTS

- (1) Highway - David Lyon, nothing to report
- (2) Water - Nelson Cook, Water samples are being taken regularly. Harold Kruger is a possible candidate for Water District Superintendent. Raymond & Mary Haak are requesting permission for a water service in the Maple Avenue Water District for a new residence. Considerable discussion followed with the Town Attorney giving the background on the Maple Avenue Water District, Engineering reports and the Permissive Area of this District. Nelson Cook suggested that the Town obtain a list of water users in the 4 Water Districts from the Village of Palmyra. The Informational Hearing concerning the possible merger of the Division Street and Maple Avenue Water Districts was discussed. Nelson Cook was requested to check with the Palmyra Fire Department in regard to a test to check the pressure in the Maple Avenue District.
- (3) Landfill - Roy Aplin, the Supervisor reported on the progress in regard to the search on the Landfill site. The Village Office and the Village Attorney were contacted without much success. The Town Attorney and the Supervisor will go to Lyons to clear this search.

The Town Attorney advised that the letter from the New York State Electric & Gas Corp. in regard to the easement should go to Mr. McCarthy.

- (4) Consolidation of Town & Village - Edwin Wheeler, nothing to report.
- (5) Zoning - Francis Toole, the Zoning Officer reported that he had checked with Mr. Countryman on Whitbeck Road and most of the trucks are licensed - the unlicensed ones will be removed. The Town Attorney will go to Court Monday night in regard to Mr. Yaeger.
- (6) Cemetery - Roy Aplin, nothing to report.
- (7) Joint Recreation Committee - Nelson Cook, Mr. Cook reported that there are petitions being presented to the Hearing, February 7th requesting the Village Funds be used for the new Community Center.

Under unfinished business, the Town Attorney reported on phone calls with J. Hodgson concerning the Land Acquisition on Quaker Road - an offer to sell the property to the Town for \$.12½ per square foot was made to the Town Attorney. Considerable discussion followed. A motion was made by Edwin Wheeler that the Supervisor contact Congressman Horton in regard to the offers made to the Town by Penn Central. Motion was seconded by Nelson Cook and passed with 5 ayes and no nos. The Board discussed the possibility of condemning this property. A motion made by Supervisor Aplin, seconded by Glenn Wideman authorized the Town Attorney to proceed immediately with condemnation of the property owned by Penn Central along Quaker Road between Division Street, and Maple Avenue. Motion passed with 5 ayes and no nos.

MOTION TO CONTACT F. HORTON

MOTION TO AUTHORIZE CONDEMNATION PENN CTR. PROP.

Supervisor Aplin reported that he has not been able to contact Fred Cusi-mano in regard to the Voting Machine Contract.

Supervisor Aplin reported concerning the possibilities for workers on the Wayne County Numbering System. There is a CETA opening which would give the Town a person to work temporarily on this project and Francis Toole has been contacted in regard to the Field Work.

A motion authorizing attendance at Town Expense of any Town Officer and 1 member of the Planning Board and 1 member from the Zoning Board of Appeals at the Association of Towns Meeting in New York City February 21st - 23rd was made by Glenn Wideman, seconded by David Lyon and passed with 5 ayes and no nos.

MOTION RE: ATTENDANCE TN. MTS. NYC.



AUDIT REPORT  
FED. REV. SHAR.

The Town Office received the report from the Department of Audit & Control concerning the audit of the Federal Revenue Sharing Fund. This was presented to the Board for their review and Supervisor Aplin read the letter which came with the report.

MOTION TO  
TRANS. FUNDS

In order to complete the Actual Use Report which has to be done by the Supervisor, it was necessary to transfer funds. A motion to authorize a Transfer of Funds in the amount of \$5200 from the General Fund to the Federal Revenue Sharing Fund was made by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes and no nos.

ANTI- RECESSION  
FUNDS

Supervisor Aplin reported on Anti-Recession Funds, a supplement to Federal Revenue Sharing Funds. Guide lines have been received. The Town has received some Anti-Recession funds and they have been placed in a bank account until more information is received and a decision can be made on how to make use of these funds.

REQUEST FROM  
RYDER TRUCK

The next item of business was the request by Ryder Truck Rental of Rochester for a Special Permit to use an existing building on Route 31 for a Truck Rental and Service operation. The Clerk read a statement from the Ryder Truck Rental and the recommendations from the Planning Board. After considerable discussion a motion was made by Edwin Wheeler, seconded by David Lyon to approve this request with the following conditions: (1) Fuel tanks will be installed underground (according to all applicable regulations) (2) No more than 30 vehicles, tractors or trailers, on the premises at one time (3) All vehicles will be parked behind the front line of the building (4) This will be a Special Permit granted for 3 years from February 1, 1977 (5) All repairs will be conducted inside the building (6) No storage of materials outside (7) All signs will have to conform with the Zoning Ordinance. Motion passed with 4 ayes and 1 no - Roy Aplin voting no.

MOTION TO  
APPROVE  
RYDER REQ.MOTION TO  
PAY BILLS

There was nothing further to report in regard to the lease for the Office. The motion to pay the following bills was offered by Glenn Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos:

GENERAL FUND	Vouchers #26 - 44	\$5,292.30
HIGHWAY ITEM IV	" #9	\$4,369.87
TOTAL		\$9,662.17

MOTION TO  
CLOSE

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

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

**AFFIDAVIT OF PUBLICATION**

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



Geraldine A. Allen, 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:

January 28, 1977

*Geraldine A. Allen*  
Foreman of the Publisher

Subscribed and sworn to before me  
this 31 day of Jan 1977  
*Michael S. G. ...*  
Notary Public

WYANE COUNTY CLERK'S OFFICE  
Fee: \$ 17.96



February 10, 1977

The Public Hearing scheduled for 7:30 P.M. Thursday, February 10, 1977 in the Town Offices, 204 East Main Street, Palmyra, New York for the purpose of hearing the application of John Bell for a Special Authorization to build additions on an existing Auto Body Repairs Shop was opened by Supervisor Aplin at 7:30 P.M.. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Glenn Wideman and Nelson Cook, Town Attorney Paul Rubery, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Board were: Paul Burkhardt, John Bell, Floyd Bell, Don Jeffery, Richard Ruebens, Mary Kay McGrath, David Andrew. The Proof of Publication was read by the Clerk, Floyd Bell, co-owner of the Repair Shop and Donald Jeffery a neighbor, spoke in favor of this application. The applicant was questioned by the Board members and the recommendations of the Planning Board were read by the Clerk. There being no further comments for or against this application, the Supervisor closed the Hearing at 7:40 P.M..

PUBLIC HEARING BELL

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:42 P.M. by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag.

HEARING CLOSED

The motion to dispense with the reading of and to approve the minutes of the January 13th and 27th meetings as submitted was offered by Glenn Wideman, seconded by Nelson Cook and passed with 4 ayes and no nos.

REGULAR MEETING OPENED

The following communications were reviewed by the Town Board (1) Notices from the Public Service Commission in regard to Hearings concerning Gas and Electric rates (2) a letter from AVM Election System (3) Information in regard to College courses offered through Local Government Institute (4) A letter from the Village of Palmyra requesting the use of Voting Machines for the Village Election. A motion was made by Glenn Wideman to approve the request from the Village of Palmyra for the use of 2 Voting Machines for the Village Election to be held in March. The motion was seconded by Edwin Wheeler and passed with 4 ayes and no nos.

MOTION TO APPROVE MINUTES

COMMUNICATIONS

MOTION TO APPROVE REQUEST FROM VILLAGE FOR VOTING MACHINE

Town Councilman David Lyon joined the meeting at this time.

The schedule of Fuel Adjustment Rates from the New York State Electric & Gas Corporation was reviewed and discussed by the Board. The Board also discussed the lighting at various intersections and possible changes which might be made. David Lyon offered to accompany the New York State Electric & Gas Corporation representative when the intersections are checked. The Board also discussed the advantages and disadvantages of sodium lights. Supervisor Aplin reported that the complaint concerning the intersection at Macedon Center Road and Maple Avenue had been referred to Philip Rice, Wayne County Highway Superintendent.

NYS ELEC & GAS - FUEL ADJ. RATES LGTS. ETC.

Supervisor Aplin reported on the progress with the Voting Machine Contracts.

An Informational Hearing on the proposed merger of the Maple Avenue and Division Street Water Districts was scheduled for 8:00 P.M., February 10th. The Proof of Publication was read by the Clerk. Nelson Cook, Chairman of the Water Committee explained the merger and the reasons for this proposal, the benefits to the residents of these Water Districts. Mr. Richard Ruebens of Division Street was the only resident to attend this hearing and asked if this merger would affect pressure if more homes are built. Mr. Cook responded that it would not. Installation of Meter Vaults was also discussed. Hearing was closed at 8:10 P.M..

INFO. HRG. WATERDIST. MERGER

COMMITTEE  
REPORTSZONINGHIGHWAY

The following Committee reports were offered:

(1) Zoning - Francis Toole reported that the only item he had was in regard to Mr. Jaeger - Collision Shop on Route 31. Judge White has made a personal tour of this area in violation and he will call Mr. Jaeger into Court Monday night, 2/14/1977.

(2) Highway - David Lyon reported that Town Highway Superintendent James DeBrine is hospitalized and Deputy Superintendent Lyman Kaller is therefore in charge of the Highway Department. Deputy Kaller has hired James Wallace as temporary extra help while Mr. DeBrine is recuperating. Town Councilman Nelson Cook asked to offer an opinion during this report in regard to the extent of sanding and salting. His feelings are that it is not necessary to sand and salt, as well as plow, in some areas to the extent that it is being done. The salting in some areas is affecting the water lines, driving the frost farther into the ground. Areas, in particular, which have been affected are Meadow Drive and Wheel-In-Circle. Town Councilman David Lyon agreed 100% with Mr. Cook. A general discussion was held concerning the amount of plowing done, amount of sanding and salting, the amount of overtime worked by the Town Crew and possible ways of solving these problems.

WATERMOTION TO  
APPROVE  
APPT. OF  
H. KRUGERPROBLEMS W/  
FROZ. WATER  
LINESWATER PROB.  
AT DUTTON  
LUMBERMOTION TO  
BILL DUTTON  
LUMBER CO.H. NESBITT,  
REP. THOMAS  
COSTICH  
GRAVEL PIT

(3) Water - Nelson Cook reported that Harold Kruger is willing to take over the duties of Water District Superintendent and Mr. Cook made the motion to approve the appointment of Harold Kruger as Water District Superintendent for the Town of Palmyra for the year 1977, appointment retroactive to February 1, 1977. Motion was seconded by David Lyon and passed with 5 ayes and no nos. Councilman Cook also reported on the frozen water lines on Wheel-In-Circle, Meadow Drive and Maple Avenue. Locating the valves is difficult because of the road re-surfacing. He also informed the Board of existing problems, such as locating valves and curb boxes. Mr. Cook also explained how he hopes to handle the expense involved. Immediate problems will be taken care of. As Chairman of the Water Committee, Mr. Cook was contacted to check on a water problem at the Dutton Lumber Company. The Company didn't call for a termination of water service at the time they moved out and when Hiram VanEtten went in to read the meter, a broken water line was discovered. There was an estimated 30 day loss of water - a cost of \$230.42 - for which the Village will bill the Town. There were numerous other expenses, such as, frozen meter, cost of excavating and labor. This problem was discussed at length. A motion was made by Nelson Cook, seconded by Glenn Wideman to bill the Dutton Lumber Company, Poughkeepsie, New York for the total expenses involved in this situation. The Town Attorney was requested to draft a letter to the Company to be sent with the bill. Motion was passed with 5 ayes and no nos.

At this time, Henry Nesbitt, attorney representing Mr. Thomas Costich, appeared before the Board to discuss and question the Board in regard to their denial of Mr. Costich's application for Special Permit to open and operate a gravel pit on Route 21. Mr. Nesbitt explained in detail the background on applying for the Special Permit and stated that in his opinion all the requirements asked for in the Zoning Ordinance had been presented at the Hearing and that he could not understand the reasons for the denial. Mr. Nesbitt objected in particular to the way in which the recommendations from the Planning Board were handled and felt if the Board wanted more information, he and his client should have been requested to present additional material. Mrs. Mary McGrath spoke on behalf of Mr. Costich and asked just what Mr. Costich has to do to work this property. A lengthy discussion followed.



The Board returned to reports of Committees and Supervisor Aplin spoke in regard to the trip he and the Town Attorney made to Lyons to check on the search being done on the present Landfill site.

COMMITTEES  
LANDFILL

There were no reports from the Committee for Town & Village Consolidation or the Cemetery Committee.

Nelson Cook, Chairman of the Joint Recreation Commission attended the Village Board meeting at which time the Village of Palmyra gave approximately \$60,000 in excess funds to the New Community Center Project. The Fair Association has agreed to lease the land to the Village for the new Center and plans are underway for a Fund Drive in the future to raise money to complete this project - completed project to cost from \$140,000 to \$200,000. Mr. Cook requested that the Town Board consider allocating some funds indicating financial support for this new Community project. Use of funds was discussed in general. A motion was offered by Edwin Wheeler, seconded by Nelson Cook that Robert Peterson, Wayne County Planner, be asked to appear at a Town Board meeting to explain the availability of funds. Motion passed with 5 ayes and no nos. Supervisor Aplin will ask Mr. Peterson about speaking to the Board.

JOINT REC.  
COMM.

MOTION TO  
ASK WAYNE CO  
PLANNER TO  
A TN. BD. MTG.

Supervisor Aplin reported that the latest word on the new County-wide re-assessment is that the results will be out in March.

At this time, Max Albertson came before the Board to discuss his proposed airfield on Harris Road. The background on this proposal was given by Mr. Albertson and he was questioned by the Board on several points. The proposal was discussed at length. Following this discussion, the Board decided it would be necessary to hold a Public Hearing and a motion was made by David Lyon, seconded by Edwin Wheeler to schedule a Public Hearing for March 24, 1977 and to post the legal notice for same. Motion passed with 5 ayes and no nos.

ALBERTSON  
REQUEST  
(AIRPORT)

MOTION TO  
POST LEGAL  
NOTICE FOR  
PUBLIC HRG.

Supervisor Aplin spoke on the status of the Wayne County Numbering System for the Town of Palmyra and the availability of CETA persons to work on this project.

WAYNE CO.  
NO. SYSTEM

The Supervisor also reported that a letter has been sent to Congressman Harton concerning the Acquisition of property along Quaker Road. The Town Attorney reported on the progress of the condemnation of this property. The County has been contacted.

PENN CTRL.  
LAND ACQ.

The Town Clerk presented the Delinquent Dog List to the Town Board for review and discussion.

DELIQ. DOG  
LIST

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

MOTION TO  
PAY BILLS

GENERAL FUND	VOUCHERS #45-56	\$ 6,032.64
PART TOWN FUND	" #3-5	3,716.66
HIGHWAY ITEM IV	" #10-11	6,326.83
CANANDAIGUA RD. WATER DIST.	" #2-3	1,573.36
JOHNSON ROAD WATER DIST.	" #2-3	412.31
MAPLE AVENUE WATER DIST.	" #2-4	3,565.83
DIVISION STREET WATER DIST.	" #2-4	411.56
TOTAL		<u>\$22,039.19</u>

The motion to close this meeting was offered by Roy Aplin, seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO  
CLOSE

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

February 24, 1977

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, February 24, 1977 in the Town Offices, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Glenn Wideman and Nelson Cook, Zoning Officer Francis Toole, Town Attorney Paul Rubery, Assessor Robert Kirchhoff and Town Clerk Betty Stubbings. Other persons attending this meeting were Nancy VanBortel, Paul Burkhardt and Paul Braun.

MEETING  
OPENEDCOMMUNICATIONS

A communication from the New York State Department of Environmental Conservation in regard to a hearing by the Freshwater Wetlands Appeals Board to be held March 2, 1977 in Albany was read by the Clerk.

ZONING

Zoning Officer Francis Toole reported on the following items: (1) Mr. Yaeger nothing further to report at this time (2) Mr. Musshaven has not complied as yet, his attorney has contacted the Town Attorney (3) Because of a complaint to the Town Office, it has been found that there may be a change in the ownership at Waterways Trailer Park. Supervisor Aplin will check in Lyons to see if a change of ownership has been filed.

Mr. Aplin reported to the Board on the progress in regard to hiring CEIA persons to help with the Wayne County Numbering System in the Town of Palmyra.

MOTION TO  
MERGE WATER  
DISTRICTS

Town Councilman Nelson Cook, Chairman of the Water Committee, had several items of business to cover. Mr. Cook offered the motion that the Town Board proceed with the consolidation of the Maple Avenue and Division Street Water Districts. The motion was seconded by Edwin Wheeler and passed with 4 ayes and no nos. Mr. Cook also requested the posting of Notice of Informational Hearing in regard to the merger of the Johnson Road and Canandaigua Road Water Districts. A motion was made by Nelson Cook, seconded by Edwin Wheeler to post the hearing for Thursday, April 14, 1977. Motion was passed with 4 ayes and no nos.

MOTION FOR  
INFOR. HRG.

A letter from the New York State Electric & Gas Corporation concerning the use of arc welders for thawing frozen pipes was read by the Clerk.

A letter was received from the Village of Palmyra in regard to the Town adopting a Resolution for water billing in the case of those involved in emergency situations. Mr. Cook will check with the Village.

Some problems in the Water Districts were discussed and the Board requested Councilman Cook to work up the information and report back.

BELL'S  
APPLICA.  
TIE VOTE

The Board turned their attention to Mr. Bell's application for a Special Permit to add a Frame Room and Paint Storage room at Bell's Collision Shop on Jeffery Road. A motion was made by Edwin Wheeler, seconded by Nelson Cook to approve Mr. Bell's application. Discussion followed and the result of the vote was a tie - Edwin Wheeler and Nelson Cook voting yes and Glenn Wideman and Roy Aplin voting no. Supervisor Aplin moved that the vote be tabled until a meeting when the full Board is in attendance. Motion was seconded by Edwin Wheeler and passed with 4 ayes and no nos.

MOTION TO  
TABLE VOTEMEMO FROM  
HURLEY

A memo from Assemblyman James Hurley in regard to the Donovan Town Highway Program was read by the Clerk.

LETTER FROM  
P. RICE

Supervisor Aplin reported on a letter he received from Philip Rice, Wayne County Highway Superintendent concerning signs at the Macedon Center Road and Maple Avenue intersection and the possible need for a "School Bus" sign.

As Chairman of the Landfill Committee, Supervisor Aplin reported on the search being done on the present Landfill site. There is abandoned property owned by the County and the Supervisor will check with the County for Trans-

fer to the Town.

There were no reports from the Consolidation of Town & Village Committee and the Cemetery Committee.

Mr. Aplin has contacted the Wayne County Planner and Mr. Peterson will be available whenever the Board would like him to present information on available funds. Supervisor Aplin will ask Mr. Peterson to come to the Town Board meeting on March 24, 1977.

B. PETERSON 3/24

Nelson Cook reported that the project for the new Community Center will be getting underway soon.

A motion was offered by Nelson Cook, seconded by Edwin Wheeler that the Anti-Recession Funds be turned over to the Community Center Board to purchase equipment for the new Community Center. Discussion followed and Mr. Wheeler moved to table this motion until Mr. Peterson speaks to the Board. Motion was seconded by Glenn Wideman and passed with 4 ayes and no nos.

MOTION TO USE ANTI-RECESSION FUNDS  
MOTION TABLED

The Board returned to the Zoning Violation of Mr. Yaeger. The Town Attorney reported that Mr. Yaeger did not appear in Court and Judge White will issue a warrant for his arrest.

YAEGER

The Town Attorney spoke to the Board in regard to adopting a Local Law to summarize publications of Proposed Ordinances and Laws in the paper. The Clerk will check to determine if this has already been done.

LOCAL LAW

Mr. Rubery also reported to the Board that the State has mandated under the State Environmental Quality Review Act that a review procedure be established and a Local Law adopted by April 1, 1977. Following considerable discussion, the Board agreed to have the Town Attorney proceed with the necessary paper work for a Proposed Local Law which will provide for environmental quality review of actions which may have a significant effect on the environment. At this time, it is not certain who will do this review, possibly the Town Board or the Planning Board.

LOCAL LAW SEQR

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

MOTION TO PAY BILLS

GENERAL FUND	VOUCHERS #57-74	\$ 4,854.16
PART TOWN FUND	" # 6	30.50
HIGHWAY ITEM III	" #11-30	5,140.46
HIGHWAY ITEM IV	" #12-20	17,310.34
MAPLE AVE. WATER DIST.	" #5-6	170.56
TOTAL		<u>\$27,506.02</u>

The motion to close the meeting was made by Glenn Wideman, seconded by Nelson Cook and passed with 4 ayes and no nos.

MOTION TO CLOSE

Respectfully submitted,  
*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

March 10, 1977

MEETING OPENED The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. Thursday, March 10, 1977 in the Town Offices, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Glenn Wideman and Nelson Cook, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending were Paul Burkhardt, Nancy VanBortel and Ann Tyler.

MOTION TO APPROVE MINUTES

The motion to dispense with the reading of and approve the minutes of the February 10th and 24th Town Board meetings was made by Nelson Cook, seconded by Edwin Wheeler and passed with 4 ayes and no nos.

COMMUNICATIONS

The following communications were reviewed by the Board: (1) Recommendations for the care of Local Records from the Local Records Section - State Archives, New York State Education Department, Albany, New York (2) Notice of a Seminar on Consolidation of Local Governments to be held Wednesday, March 23rd at 7:30 P.M., Court House, Lyons, New York (3) Information from Hartford Insurance in regard to New York Disability Benefits, specifically, Benefits for Disability caused by Pregnancy (4) Copy of an order granted by J. Roger Barber, Commissioner of Agriculture & Markets of the State of New York establishing a Night Quarantine on dogs for the period from April 1, 1977 to March 31, 1979 to be filed in the Town Office - Information was given to the Courier-Journal by the Town Clerk for publication. (5) Public Notice in regard to an Application for Permit for Dredging by the Department of the Army - Buffalo District Corps of Engineers.

COMMITTEE REPORTS  
ZONING

Committee reports were as follows:

Zoning - (1) Francis Toole reported that Mr. Yaeger has been summoned for a Court Appearance on March 28th - the conditions at the Collision Shop have not improved (2) No answer as yet on the Record of ownership of Waterways Trailer Park.

HIGHWAY

Highway - There was no one in attendance at this meeting to report directly concerning Highway items but Town Councilman Glenn Wideman reported that the lights and bar (signals) have been installed at the Hogback Hill Railroad Crossing. Supervisor Aplin reported that Eugene Woodard, a CETA person working for the Town Highway Department, for 18 months, will go on the regular Town Crew as of March 19th with approval and recommendations of the Town Highway Superintendent, Deputy Highway Superintendent, Supervisor and the Town Board. The Board discussed the CETA Program in general - Town level and County Level.

WATER

Water - Nelson Cook reported on the merger of the Maple Avenue and Division Street Water Districts. The Board discussed a name for the consolidated District and decided that it would be called the North Water District.

JT. REC. COM.

Joint Recreation Commission - Nelson Cook - nothing to report.

LANDFILL

Landfill - Roy Aplin reported that the Engineering Study and Application for the Permit for the Brush site at the Landfill should be completed by next meeting. Mr. Aplin also reported that the Landfill Contract will expire the end of April. The possibility of extending the Contract with Mr. Pulcini on a month to month basis was discussed and this was to be checked out with the Town Attorney.

CONSOL. TN & VILLAGE

Consolidation of Town and Village - Edwin Wheeler offered to drive to Lyons for the Seminar on March 23rd and any interested person who needs a ride



should be at the Town Office at 7:00 P.M.. There was a general discussion on services which could be consolidated.

Cemeteries Committee - nothing to report.

Town Councilman Edwin Wheeler asked if there was a Tax Incentive Program in the Town of Palmyra. The County has a program which is under the Economic Development Program headed by Russell Fowler for Wayne County. The Town of Palmyra adopted Local Law #1 - November 1973 which provides for an Exemption from Taxation and Special Ad Valorem Levies, pursuant to Section 485 of the Real Property Tax Law. Following some discussion on the Tax Incentive Program and the Economic Development Program, Supervisor Aplin offered to contact Mr. Fowler about speaking to the Board, possibly April 28th.

TAX IN-  
CENTIVE  
PROGRAM

The following items were reported under unfinished business: (1) Wayne County Numbering System - Supervisor Aplin reported that Margaret Reithel has been hired under the CETA Program. Francis Toole and Margaret have started the Preliminary work on the Numbering System. They have had some work sessions with Bob Peterson in Lyons and they are underway on this Project. The Numbering System in general was discussed by the Board. (2) Voting Machine Contracts - Supervisor Aplin reported that the Contracts are straightened out, the points in question have been agreed upon and the Town Attorney is satisfied. Mr. Aplin talked with Vice President Keith Spaulding and was assured that these machines will have a 5 year guarantee. The Contracts have been returned and Mr. Aplin will be notified when the machines are shipped.

WAYNE CO.  
NO. SYSTEM

VOTING  
MACHINE  
CONTRACTS

(3) Penn Central Land Acquisition - Condemnation proceedings are underway. Supervisor Aplin received a letter from Congressman Frank Horton stating that he had written to Jervaise Langdon, Chief Trustee of Penn Central Transportation Company in regard to this matter. (4) Supervisor Aplin contacted Bob Peterson, Wayne County Planner, and he will speak to the Town Board on March 24, 1977 at 8 P.M. on the availability of funds. (5) The Board briefly discussed the State Environmental Quality Review Act and the Local Law required. Councilman Glenn Wideman suggested tabling this matter until the March 24th meeting. (6) Councilman Edwin Wheeler asked if the lights at the various intersections have been checked. Councilman David Lyon was to meet with a New York State Electric & Gas Corporation representative to check this problem.

LAND ACQ.  
PENN CTRL

B. PETERSON  
3/24

SEQRA &  
LOCAL LAW

LIGHTS AT  
INTERSECTIONS

The Town Board discussed the Audit Report received in the Town Office recently from the Department of Audit & Control.

AUDIT RE-  
PORT

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

MOTION TO  
PAY BILLS

GENERAL FUND	VOUCHERS #744984	
PART TOWN FUND	" # 7-10	3,168.01
HIGHWAY ITEM I	" # 4	20,264.06
HIGHWAY ITEM III	" # 31-52	12.90
HIGHWAY ITEM IV	" # 21-26	2,185.28
FEDERAL REVENUE SHARING	" # 2	7,953.10
CANANDAIGUA RD. WATER DIST.	" # 4 - 5	15.00
JOHNSON RD. WATER DIST.	" # 4 - 5	20.00
MAPEE AVE. WATER DIST.	" # 7 - 10	8.00
DIVISION ST. WATER DIST.	" # 5 - 7	50.92
TOTAL		11.45
		\$33,688.72

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

MOTION TO  
CLOSE

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk



March 24, 1977

PUBLIC  
HEARING  
RE: ALBERT-  
SON APPLIC.

6 The Public Hearing scheduled for March 24, 1977 at 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of hearing the application of Max Albertson, Palmyra, New York for Special Authorization to use property on Harris Road in the Town of Palmyra, Wayne County as an airport for take-off, landing, limited Flight Instruction and limited maintenance was opened at 7:30 P.M. by Supervisor Aplin. Town Officers present were Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Glenn Wideman, Nelson Cook and David Lyon, Zoning Officer Francis Toole, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Interested persons attending the Town Board meeting or those having business to come before the Board were: Mr. & Mrs. James Wallace, Hack L. Haight, Jr., Les Beach, Paul Burkhardt, Morris VanDeWalle, Bruce Stephens, Sharon Hand, Sheila Hand, David Hand, Ed Hand, Derry Jackson, Bernard Root, Melvin Bushart, Eloyd Bell, Gary Klaeyesen, Earl Vanderwall and Donald Storr. The Proof of Publication was read by the Clerk, Mr. Roland Zavada, Palmyra AirPark Inc., 21 Cottonwood Land, Pittsford, New York asked to read the following state-

STATEMENT OF  
R. ZAVADA -  
PAL. AIR PARK ment: "To the Palmyra Town Planning Board, Palmyra, New York, Re: Albertson Airport - Gentlemen: The board of directors of Palmyra Airport have discussed the site and intent of Mr. Albertson's airport. We have no objections as we have been assured by representatives of the Federal Aviation Administration that their air traffic will not adversely affect the present or future traffic patterns and safety of Palmyra Airport operations. Further, we believe in and are dedicated to general aviation in the public interest and ancillary operations, such as those proposed, can only enhance these goals. - signed by Roland Zavada, President." Many questions were asked of Mr. Albertson - David Hand questioned the direction of the flight pattern of the aircraft - Ed Hand asked if this land being discussed is already an airport. Supervisor Aplin filled in the background concerning Mr. Albertson's previous appearance before the Board and the type of request made at that time. The Hearing continued with Bruce Stephens being the apparent spokesman for a group of anxious neighbors concerned with possible devaluation of their property, the noise factor and commercialism. David Hand asked who makes the decision and if the decision would be made tonight. Supervisor Aplin explained the procedures involved in applying for a Special Authorization in an Agricultural Zone and stated that it would be the Board's pleasure whether or not the decision would be made tonight. Other people speaking at the Hearing were: Morris VanDeWalle, Dery Jackson, Roland Zavada, Les Beach and James Wallace. Supervisor Aplin closed the Hearing at 8:34 P.M.. A copy of the complete transcript of this hearing is available in Max Albertson's file (Special Authorization).

HEARING  
CLOSED

MEETING  
OPENED

Supervisor Aplin opened the regular meeting of the Town Board of the Town of Palmyra at 8:35 P.M. with a moment of silent prayer and the Pledge of Allegiance to the Flag.

R. PETERSON  
RE: FED. FUNDS

At this time, Robert Peterson, Wayne County Planner, appeared before the Board to speak on the Federal Funds, Grants and Loans which are available for municipalities to apply for. Those funds discussed are available under the following Departments or Programs: Department of Interior - BOR - outdoor recreation projects, matching funds; Farmer's Home Administration; Department of Commerce - Economic Development Program, Emergency-type programs; and HUD - community development. Mr. Peterson offered his help if the Board decided to apply for funds.

**AFFIDAVIT OF PUBLICATION**

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



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

..... March 11, 1977 .....

.....

.....

.....  
*Geraldine A. Allen*  
Foreman of the Publisher

Subscribed and sworn to before me

this 11 day of Mar 1977

.....  
*Michael Donovan*  
Notary Public

MICHAEL N. DONOVAN  
Fee: \$14.82 WAYNE COUNTY CLERK OFFICE, 10/78  
#00000

Under communications an article in Newsweek concerning an Insurance Seminar was brought to the Board's attention and a letter from the Village of Palmyra inviting the Town Officials to the Ground-Breaking for the new housing development was read by the Clerk.

COMMUNICATIONS

Committee reports were as follows:

COMMITTEE REPORTS

Zoning - Francis Toole (1) Mr. Yaeger has not complied, will be in Court on March 28th. (2) Mr. Blackburn - nothing to report. (3) Mr. Musshaven - due on Court Calendar (4) Waterways Trailer Park - no change in ownership at County Clerk's Office in Lyons. (5) Applications for Re-natural of Licenses for Operation of Auto Junk Yards - Mrs. Breames and Siegel Gilfus are not renewing.

ZONING

A motion to approve the Application of Bernard Pulcini for renewal of a license to operate an Auto Junk Yard on Trolley Road was made by Edwin Wheeler, seconded by Glenn Wideman and passed with 5 ayes and no nos. (6) John Bell's Application for Special Authorization - the decision on this application was tabled at the February 24th meeting to wait for a meeting attended by a full Board.

MOTION TO APPROVE PULCINI'S JUNK YARD

Councilman Edwin Wheeler made the motion to bring the motion back to the table. Nelson Cook seconded the motion and the motion passed with 5 ayes and no nos. Discussion followed with David Lyon reporting that he looked into this business, talked with the owners (operators), checked to see where the additions would go and the reasons for them, mainly, updating and safety, not necessarily an increase in business. A motion to move the question was made by Edwin Wheeler, seconded by Nelson Cook and passed with 3 ayes and 2 nos - David Lyon, Edwin Wheeler, and Nelson Cook voting aye and Roy Aplin and Glenn Wideman voting no. The motion to approve this application of John Bell for a Special Authorization was made by Edwin Wheeler, seconded by Nelson Cook and passed with 3 ayes and 2 nos - Edwin Wheeler, Nelson Cook and David Lyon voting aye and Glenn Wideman and Roy Aplin voting no.

MOTION TO APPROVE BELL'S SPECIAL APPLICATION

The decision on Max Albertson's application for Special Authorization was tabled until April 14th. A suggestion was made by the Town Attorney that the minutes of the Public Hearing for Max Albertson's application held earlier in the evening be taken from the tape and typed.

The Clerk reminded the Board of 2 nominations to be made in May - Arthur Bebb's term on the Planning Board expires in May and Glenn Young's term on the Board of Assessment Review also expires in May.

NOMINATIONS FOR PL. BD & BD OF ASSES. REV.

Highway - David Lyon - Town Highway Superintendent James DeBrine asked that the Board consider the following items (1) the Right of Way on Hazen Lane which should be a 3 Rod road and has been indicated on Plot Plans as a 2 Rod Road. It was decided that the Town Attorney would draft a letter to the homeowners on Hazen Lane informing them of this change. The Planning Board was to be informed also. It was the Town Attorney's suggestion that the Planning Board refer matters of this kind to Town Highway Superintendent James DeBrine. (2) Wayne County is having a Drainage District Survey done on the County Roads by the Soil Conservation Department and would like all the Towns to have a similar survey done on the Town Roads. Superintendent Aplin gave some background on this Survey and reported that Tony Malone, Town Engineer, is of the opinion that this would be an advantage to the Town. David Lyon and James DeBrine will meet with Dick Zimmerman of the Soil Conservation Department and report to the Town Board. (3) There is a surplus in Item III Machinery Account DM 2300 and the Town Highway Superintendent requested that the Board transfer an amount to the Capital Reserve Fund. The following Resolution was offered by David Lyon, seconded by Nelson Cook and passed with 5 ayes and no nos: WHEREAS, the Town has a Machinery Capital Reserve Fund, AND WHEREAS, IT IS IN the best interest of the Town to transfer \$5,000 from

HIGHWAY RIGHT OF WAY ON HAZEN LANE

DRAINAGE DIST. SURVEY

RESOLUTION FOR TRANS. OF FUNDS

AND WHEREAS, IT IS IN the best interest of the Town to transfer \$5,000 from

Machinery Account DM-2300, <sup>2416</sup> NOW THEREFORE, BE IT RESOLVED, that the funds be transferred to the Machinery Capital Reserve Fund.

REQUEST  
FROM PAL.  
COMM. CTR.  
FOR ANTI-  
RECESS  
FUNDS

At this time, Nelson Cook, Chairman of the Joint Recreation Commission, introduced Melvin Bushart, President of the Palmyra Community Center Association and representing the Board of Directors of the Palmyra Community Center. Mr. Bushart came before the Board to explain the progress on the new Palmyra Community Center to be built on land which is a part of the Palmyra Fair Grounds. It is expected that the use of the land will be resolved between the Village of Palmyra and the Palmyra Fair Association and the Village of Palmyra has allocated approximately \$66,000 from Village funds to start this project. Mr. Bushart again speaking for the Board of Directors requested the Town Board to allocate Anti-Recession Funds for equipment for the new Center. David Lyon asked that a list of equipment and cost be submitted to the Board before a decision is made. A motion made by Nelson Cook at the February 24th meeting requesting Anti-Recession Funds to be allocated for the Community Center was tabled at that time. A motion was made by Nelson Cook, seconded by Edwin Wheeler to bring that motion off the table. Motion passed with 5 says and no nos. Following considerable discussion, Edwin Wheeler withdrew his second to the ~~tax~~ original motion and Nelson Cook withdrew his original motion. Mr. Cook requested the use of Town equipment for some work at the site of the new project. The Town Board has no objections but this decision is up to the Town Highway Superintendent.

ORIG. MOTION  
RE: ANTI-  
RECESS FUNDS  
WITHDRAWN

INFO. HRG.

Water - Nelson Cook - There will be an Informational Hearing at 8:00 P.M. on April 14th concerning the merger of the Canandaigua Road and Johnson Road Water Districts.

A voucher from Floyd Pulcini in regard to work done for the Maple Ave. Water District was referred to the Chairman of the Water Committee to check into.

Landfill - RoyyAplin - There is nothing to report as yet on the application for the permit for the Brush site at the Landfill. The question in regard to the strip of land adjoining the regular Landfill owned by the County has been referred to the Finance Committee of the Wayne County Board of Supervisors. The Landfill Contract will continue on a month to month basis.

SEMINAR  
ATTENDED

Consolidation of Town & Village Committee - Edwin Wheeler - Nelson Cook and Edwin Wheeler attended the seminar held in Lyons March 23rd and reported to the Board at this time. Considerable discussion followed.

Cemeteries Committee - RoyyAplin - nothing to report.

LOCAL LAW RE:  
S E Q R A

Under unfinished business, the adoption of Local Law #1 to comply with the State Economic Quality Review Act was discussed. A letter from the Rochester Home Builders Association, Inc. concerning this item of business was read by the Clerk. It is possible that the deadline for adopting the Local Law will be delayed. The Town Attorney discussed several points concerning this Act with the Board and the Supervisor suggested this matter be tabled until there is a report from the County.

LEASE FOR  
OFFICE

Supervisor Aplin reported that he has received information in regard to a contract or lease for rental of the Office and he is confident that a lease can be negotiated.

The Town Attorney is still waiting for the survey on the property involved in the Land Acquisition and condemnation proceedings.

The Town Office and the Town Attorney have received calls from Garlock's concerning the bad conditions on Quaker Road between Maple Avenue and Division Street but there are other routes into Garlock's which the trucks can use.



The Supervisor reported that in January 1978 it will be required that the Town of Palmyra operate under a new double entry system of bookkeeping. The Department of Audit & Control will be conducting Schools of Instruction for the new system. A motion was made by Edwin Wheeler, seconded by David Lyon authorizing Virginia Wilson, Bookkeeper, to attend the School at the Town of Manchester in May. Motion passed with 5 ayes and no nos.

MOTION TO  
AUTHORIZE  
V. WILSON  
TO ATTEND  
SCHOOL

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

MOTION TO  
PAY BILLS

GENERAL FUND	VOUCHERS #85 - 110	10,707.28
PART TOWN FUND	" #11 - 15	2,039.31
HIGHWAY ITEM III	" #53	5,000.00
HIGHWAY ITEM IV	" #27 - 28	3,763.80
MAPLE AVE. WATER DIST.	" #11	2,751.18
DIVISION ST. WATER DIST.	" #8	900.27
<b>TOTAL</b>		<b>\$25,161.84</b>

The motion to close this meeting was offered by David Lyon, seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION TO  
CLOSE

Respectfully submitted,

Betty B. Stubbings  
Betty B. Stubbings, Town Clerk



April 14, 1977

PUBLIC HRG.  
LOCAL LAW #1  
4-1977

The Public Hearing scheduled for April 14, 1977 at 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of hearing statements for or against Local Law #1 of 1977 entitled Environmental Quality Review Act of Palmyra was opened at 7:30 P.M. by Supervisor Aplin. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Nelson Cook and David Lyon, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. The Proof of Publication was read by the Clerk. No one appeared to speak in favor of or against this Local Law. Supervisor Aplin closed the hearing at 7:35 P.M..

HRG. CLOSEDMEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:38 P.M. by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Interested persons attending or those having business to come before the Board were Paul Burkhardt, Carl Bain, Richard Watson, Roger Shaner, Wilson Dieffenderfer, Robert Peterson and Tony Malone.

MOTION TO  
APPROVE  
MINUTES

The motion to dispense with the reading of and approve the minutes of the March 10th and 24th Town Board meetings was made by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos.

HIGHWAY ITEMSMOTION TO  
PURCHASE  
TIRES

At this time, Town Highway James DeBrine came before the Board with the following items of business: (1) Following a request for approval to purchase tires, a motion was made by Edwin Wheeler, seconded by David Lyon

DRAINAGE  
SURVEY

to authorize the Town Highway Superintendent to purchase the necessary tires. Motion passed with 4 ayes and no nos. (2) Mr. DeBrine asked the Board to note a correction in the cost per mile on the Drainage Survey which will be from \$58 to \$65 per mile or a possible total in the area of \$3,000. (3) A letter from Town Attorney Paul Rubery to the Town Board in regard to the property the Town is interested in acquiring from the New York Central Railroad Company for a Right of Way along Quaker Road was read. The Board considered what would be best for the Right of Way along Quaker Road between Maple Avenue and Division Street when negotiations are made with Webaco concerning the Land Acquisition. (4) The Town Highway Superintendent and the Town Attorney brought to the Board's attention the need to adopt a Local Law giving the Town more protection in case of a claim for accidents resulting from bad road conditions. Following discussion, it was decided that the Town Attorney will prepare a Proposed Local Law for the Town Board to work with. (5) Mr. DeBrine suggested the legal closing of portions of some Town roads because of bad conditions.

R. R. LAND  
ACQUISITIONPROPOSED  
LOCAL LAW  
#2RESOLUTION  
RE: LEGAL  
CLOSING OF  
ROADS

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

WHEREAS, because of weather conditions, certain roads have become impassable or nearly impassable, NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby approve and authorize the Town Highway Superintendent to close the following roads until such time as they shall become passable - Quaker Road between Maple Avenue and Division Street and Hogback Hill Road from Vault Road east to Palmyr Road.

MOTION TO  
ADV. FOR  
BIDS FOR  
NEW HWY.  
TRUCK

(6) A request for approval to purchase a new truck resulted in a motion being made by Edwin Wheeler, seconded by Nelson Cook authorizing the advertising of Bids for a new Highway truck, bids to be opened on May 12th. Motion passed with 4 ayes and no nos. Mr. DeBrine reported to the Board that residents on Hazen Lane have been notified that there is a 3 Rod Right of Way. This situation was discussed by the Board, the Town Highway Superintendent and the Town Attorney and it was decided to ask the Wayne County

**AFFIDAVIT OF PUBLICATION**

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



Geraldine A. Allen, 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 22, 1977 .....

..... April 29, 1977 .....

.....

.....

..... Foreman of the Publisher .....

Subscribed and sworn to before me

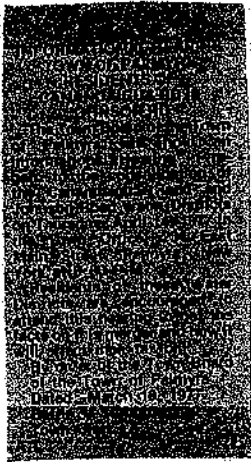
this 4 day of May 1977

Michael J. Donovan  
Notary Public

MICHAEL J. DONOVAN  
Fee: \$ 10.78 WAYNE COUNTY CLERK'S OFFICE  
1411000

**AFFIDAVIT OF PUBLICATION**

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



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..... April 1, 1977 .....

..... April 8, 1977 .....

.....  
*Geraldine A. Allen*  
Foreman of the Publisher

Subscribed and sworn to before me

this..... *11* ..... day of..... *April* ..... 19*77* .....

.....  
*Michael W. Donovan*  
Notary Public

MICHAEL W. DONOVAN  
Fee: \$ 16.66 WAYNE COUNTY COM. REC. NO. 142718  
MAR 20 1977

**AFFIDAVIT OF PUBLICATION**

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



Geraldine A. Allen, 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 1, 1977

*Geraldine A. Allen*  
Foreman of the Publisher

Subscribed and sworn to before me

this 4 day of April 1977

*Michael J. ...*

Notary Public

MICHAEL J. ...  
WAYNE COUNTY ...

Fee: \$13.39

Highway Superintendent to check on this matter.

At 8:00 P.M., the Supervisor opened the Informational Hearing in regard to the merger of the Canandaigua Road and Johnson Road Water Districts. The Clerk read the Proof of Publication and the Supervisor explained the reasons for the merger. Nelson Cook, Chairman of the Water Committee, added his explanations and comments. Interested residents, Richard Watson, Carl Bain, Wilson Dieffenderfer and Roger Shaner questioned the Board on several points and the Supervisor closed the Hearing at 8:25 P.M..

INFORM.  
HEARING  
CONSOL. OF  
CANAND. &  
JOHNSON RD.  
WATER DIST.

Robert Peterson, Wayne County Planner, reported to the Board that Francis Toole and Margaret Reithel have finished the field work on the Numbering System and have completed the list. They will be ready in the near future to meet with the Firemen. In regard to the numbers which will be used, Mr. Peterson reported he can get the numerals from an East Rochester firm for 10¢ cents each and they only require a 2 weeks notice. The Wayne County Numbering System in general was discussed.

R. PETERSON  
RE: NO. SYS.

Mr. Peterson also reported on the application to the Bureau of Outdoor Recreation, Dept. of Interior for some funding for the Palmyra Community Park, there is no guarantee of funding but he feels the Town might have a good chance. It will be necessary to get the paper work completed before May 1st, so a Resolution authorizing the Supervisor to sign the application for funds will be required at this meeting, if the Board decides to go ahead with the application.

APPLICATION  
RE: BOR  
FUNDS FOR  
PAL. COMM. PARK

The Town Engineer, Tony Malone, had requested some time to speak to the Board and he came before the Board at this time to discuss the Engineering report, Landfill Application and site plan for the Brush site extension of the Landfill on Garnsey Road. A permit will be forthcoming from the Department of Environmental Conservation for the operation of this extension to the Landfill. The area owned by the County adjacent to the present Landfill, being considered as an extension to the Landfill, was also discussed. Other points discussed at this time were rates for the use of the Landfill, tax dollars or other sources of funds for the operation of the Landfill.

T. MALONE RE:  
APPLIC. FOR  
LDFL. EXT

The Board also discussed with Mr. Malone, the Culvert Elevation Survey which is under study by the Town Board and the Town Highway Superintendent. The Clerk read a letter sent to Supervisor Aplin by Mr. Malone concerning this survey.

CULVERT  
ELEV. SURVEY

Under communications, the Clerk read a letter sent to Senator Warder from Ralph & Florence Collier, Route 21, Palmyra concerning problems with dogs, snowmobiles and hunters and a copy of a letter from Senator Warder's office to the Colliers. These letters were discussed and a motion made by Edwin Wheeler, seconded by Nelson Cook requested the Supervisor to contact the Wayne County Sheriff's Department, the New York State Police and the Department of Environmental Conservation for investigation and pursuit of enforcement of violation and to ask for the courtesy of a reply as to what is being done to alleviate such problems. Motion passed with 4 ayes and no nos.

COLLIER'S  
LETTER TO  
SEN. WARDER

MOTION TO  
CONTACT LAW  
ENFORCE.

A letter received from the Department of Transportation in regard to Sign Control was referred to the Highway Committee for study.

SIGN  
CONTROL

Committee reports:  
(1) Zoning - Francis Toole reported that Mr. Musshaven's attorney has a 2 weeks extension. (2) Mr. Yaeger's Collision Shop on Route 31 has put up a fence - property is much improved. (3) Mr. Blackburn is home from the hospital

COMMITTEE RE-  
PORTS  
ZONING



HIGHWAY

and has contacted the Town Attorney. Highway - David Lyon (1) There is no report at this time on the lights at the intersections. (2) Litter on County Highways was discussed. The Supervisor was requested to ask the County Highway Superintendent about picking up litter and trash before the grass gets too high. (3) The intersection at Stafford and W. Foster Street was again discussed. David Lyon will check with the Town Highway Superintendent.

WATERPETITION  
FOR PROP.  
WATER DIST.

Water - Nelson Cook (1) Mr. Cook was given a petition for establishing a Water District on Route 31 East. There is on file in the Office a lot of material from previous petitions and reports from the Town Engineer which Mr. Cook will check on and study to see if there have been enough changes and more assessed property to warrant another review of the possibility for a Water District. (2) The Board discussed the request from the Village for a Resolution to allow the Village to bill residents in the Water Districts who had to open their faucets to prevent pipes from freezing, the same as the comparable time last year. The Town cannot do this because there are no funds to cover this type of expense. (3) The Board turned their attention to the proposed merger of the Canandaigua Road and Johnson Road Water Districts. Nelson Cook made the motion to consolidate the Canandaigua Road and Johnson Road Water Districts to the South Water District. Motion was seconded by David Lyon and passed with 4 ayes and no nos. (4) Mr. Cook asked that a letter be sent to the Village of Palmyra requesting any communications in regard to the Water Districts be given to Harold Kruger, Water Superintendent. Supervisor Aplin will write the letter.

MOTION TO  
MERGE CAN. RD.  
JOHN. RD. DIST.  
TO SO. WATER  
DIST.JO. RECREA-  
TION COMM.

Joint Recreation Commission - Nelson Cook reported that he attended the Community Center meeting on Tuesday, April 12th. The Fair Association has approved a lease with the Village for the land and plans are progressing. Mr. Cook would like to check with Mr. H. Lehman, owner of land at the corner of Stafford and W. Foster Streets, concerning the possibility of the Town leasing that property as a part of the Palmyra Community Park.

RESOLUTION RE:  
BOR FUNDS  
AUTHORIZING  
SUPERVISOR'S  
SIGNATURE

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

WHEREAS, the Town of Palmyra, New York desires to apply for financial assistance under the Outdoor Recreation Development Bond Act (Chapter 558, 559, Laws of the State of New York, 1965) and under the Land and Water Conservation Fund Act of 1965 (78 Stat. 897-1964) for the development of the Palmyra Community Park including access roads, parking, ball field, landscaping and lighting.

NOW, THEREFORE, be it resolved, the Palmyra Town Board be, and is hereby authorized to execute and submit application for financial assistance under the Outdoor Recreation Development Bond Act ( Chapters 558, 559, Laws of the State of New York, 1965) and under Land and Water Conservation Fund Act of 1965 (78 Stat. 897-1964) for the cost of development of the Palmyra Community Park and be it further RESOLVED, that upon approval of such grant application, that the Supervisor of the Town of Palmyra be and he hereby is authorized and empowered on behalf of the Palmyra Town Board to execute such contracts as are necessary to implement such project.

LANDFILLRESOLUTION  
RE: CONTR.  
EST. ON MO.  
TO MO. BASIS

Supervisor Aplin, Chairman of the Landfill Committee, reported that after considering information brought out earlier in the meeting, it might be wise to continue operating the Landfill on a month to month basis rather than put the Contract out for bid at this time. The following Resolution was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos:

WHEREAS, the Town of Palmyra is currently negotiating for additional space at its' current location; it has not received final approval at the Brush site across the Road from the Department of Environmental Conservation, NOW THEREFORE BE IT RESOLVED, that on an emergency basis, the contract for operation of the Landfill currently in existence, be extended

**AFFIDAVIT OF PUBLICATION**

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

Geraldine A. Allen, 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 22, 1977 .....

.....

.....

.....

.....  
*Geraldine A. Allen*

Foreman of the Publisher

Subscribed and sworn to before me

this 23 day of May 1977

.....  
*Michael J. Donovan*  
Notary Public



Fee: \$7.41

MICHAEL N. DONOVAN  
WAYNE COUNTY COMPTROLLER'S OFFICE 3/30/78  
1981-82

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

~~XXXXX~~  
~~XXXX~~ of PALMYRA  
Town  
~~XXXXXXXX~~

Local Law No. 1 of the year 1977

A local law #1 of 1977 entitled ENVIRONMENTAL QUALITY REVIEW ACT OF PALMYRA  
(Insert title)

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

~~XXXXXXXX~~  
~~XXXXXX~~ of PALMYRA as follows:  
Town  
~~XXXXXXXXXX~~

A LOCAL LAW of the Town of Palmyra pursuant to Article 8 of the New York Environmental Conservation Law providing for environmental quality review of actions which may have a significant effect on the environment.

BE IT ENACTED by the PLANNING BOARD of the TOWN OF PALMYRA as follows:

1. (a) Unless the context shall otherwise require, the terms, phrases, words and their derivatives used in this local law shall have the same meaning as those defined in section 8-0105 of the environmental conservation law and Part 617 of Title 6 NYCRR.

(b) "Town" shall mean the TOWN OF PALMYRA.

2. No decision to carry out or approve an action other than an action listed in section 3 (b) hereof or section 617.12 of 6 NYCRR as Type II action, shall be made by the Planning Board or by any department, board, commission, officer or employee of the Town until there has been full compliance with all requirements of this local law and Part 617 of Title 6 NYCRR, provided however, that nothing herein shall be construed as prohibiting

(a) the conducting of contemporaneous environmental, engineering, economic feasibility or other studies and preliminary planning and budgetary processes necessary to formulation of a proposal for action which do not commit the Town to approve, commence or engage in such action, or

(b) the granting of any part of an application which relates only to technical specifications and requirements, provided that no such partial approval shall entitle or permit the applicant to commence the action until all requirements of this local law and Part 617 of Title 6 NYCRR have been fulfilled.

3. (a) Consistent with Part 617 of Title 6 NYCRR and the criteria therein, the following actions, in addition to those listed in section 617.12 of Title 6 NYCRR as Type I actions are likely to have a significant effect on the environment:

(b) Consistent with Part 617 of Title 6 NYCRR and the criteria therein, the following actions, in addition to those listed in section 617.12 of Title 6 NYCRR as Type II actions are deemed not to have a significant effect on the environment:

4. For the purpose of assisting in the determination of whether an action may or will not have a significant effect on the environment, applicants for permits or other approvals shall file a written statement with the Planning Board setting forth the name of the applicant; the location of the real property affected, if any; a description of the nature of the proposed action; and the effect it may have on the environment. In addition, applicants may include a detailed statement of the reasons why, in their view, a proposed action may or will not have a significant effect on the environment. Where the action involves an application, the statement shall be filed simultaneously with the application for the action. The statement provided herein shall be upon a form prescribed by resolution by the Planning Board and shall contain such additional relevant information as shall be required in the prescribed form. Such statement shall  
(If additional space is needed, please attach sheets of the same size as this and number each)

be accompanied by drawings, sketches and maps, if any, together with any other relevant explanatory material required by the Planning Board.

5. Upon receipt of a complete application and a statement, the Planning Board shall cause a notice thereof to be posted on the signboard, if any, of the Town maintained by the Town and may also cause such notice to be published in the official newspaper of the Town, if any, or in a newspaper having general circulation within the Town, describing the nature of the proposed action and stating that written views thereon of any person shall be received by the Planning Board no later than a date specified in such notice.

6. (a) The Planning Board shall render a written determination on such application within 15 days following receipt of a complete application and statement, provided however, that such period may be extended by mutual agreement of the applicant and the Planning Board. The determination shall state whether such proposed action may or will not have a significant effect on the environment. The Planning Board may hold informal meetings with the applicant and may meet with and consult with any other person for the purpose of aiding it in making a determination on the application.

(b) The time limitations provided in this local law shall be coordinated with, to the extent practicable, other time limitations provided by statute or local law, ordinance or regulation of the Town.

7. Every application for determination under this local law shall be accompanied by a reasonable fee set forth in this section to defray the expenses incurred in rendering such determination. The fees shall be in accordance with the schedule as filed in the Town Clerk's Office in effect at the time of the application.

8. If the Planning Board determines that the proposed action is not an exempt action, not an action listed in section 3 (b) hereof or section 617.12 of Title 6 NYCRR as a Type II action and that it will not have a significant effect on the environment, the Planning Board shall prepare, file and circulate such determination as provided in section 617.7(b) of Title 6 NYCRR and thereafter the proposed action may be processed without further regard to this local law. If the Planning Board determines that the proposed action may have a significant effect on the environment, the Planning Board shall prepare, file and circulate such determination as provided in 617.7(b) of Title 6 NYCRR and thereafter the proposed action shall be reviewed and processed in accordance with the provisions of this local law and Part 617 of Title 6 NYCRR.

9. Following a determination that a proposed action may have a significant effect on the environment, the Planning Board shall, in accordance with the provisions of Part 617 of Title 6 NYCRR:

(a) in the case of an action involving an applicant, immediately notify the applicant of the determination and shall request the applicant to prepare an environmental impact report in the form of a draft environmental impact statement or

(b) in the case of an action not involving an applicant, shall prepare a draft environmental impact statement, if the applicant decides not to submit an environmental impact report, the Planning Board shall prepare or cause to be prepared the draft environmental impact statement, or in its discretion, notify the applicant that the processing of the application will cease and that no approval will be issued. The Planning Board may require an applicant to submit a fee to defray the expense to it of preparing a draft environmental impact statement or reviewing same if it is prepared by the applicant. Such fee shall be in accordance with the schedule on file in the office of the Town Clerk in effect at the time of the action.

10. Upon completion of a draft environmental impact statement prepared at the request of the Town, a Notice of Completion containing the information specified in Section 617.7(d) of Title 6 NYCRR shall be prepared, filed and circulated as provided in section 617.7(e) and (f) of Title 6 NYCRR. In addition, it shall be published in the official newspaper, if any, of the Town, and a copy thereof shall also be posted on a signboard of the Town. Copies of the draft environmental impact statement and the Notice of Completion shall be filed, sent and made available as provided in section 617.7 (e) and (f) of Title 6 NYCRR.

If the Planning Board determines to hold a public hearing on a draft environmental impact statement, notice thereof shall be filed, circulated and sent in the same manner as the Notice of Completion, and shall be published in the official newspaper of the Town, if any, or if none, in a newspaper having general circulation within the Town at least ten days prior to such public hearing. Such notice shall also state the place where substantive written comments on the draft environmental impact statement may be sent and the date before which such comments shall be received. The hearing shall commence no less than 15 calendar days nor more than 60 calendar days of the filing of the draft environmental impact statement, except as otherwise provided where the Planning Board determines that additional time is necessary for the public or other agency review of the draft environmental impact statement or where a different hearing date is required as appropriate under other applicable law.

11. If, on the basis of a draft environmental impact statement or a public hearing thereon the Planning Board determines that an action will not have a significant effect on the environment, the proposed action may be processed without further regard to this local law.

12. Except as otherwise provided herein, the Planning Board shall prepare or cause to be prepared a final environmental impact statement in accordance with the provisions of Part 617 of Title 6 NYCRR, provided further that if the action involves an application, the Planning Board may direct the applicant to prepare the final environmental impact statement. Such final environmental impact statement shall be prepared within 45 days after the close of any hearing or within 60 days after the filing of the draft environmental impact statement, whichever occurs last, provided, however, the Planning Board may extend this time as necessary to complete the statement adequately or where problems identified with the proposed action require material re-application, such final



such final environmental impact statement shall be accompanied by the fee specified in this section to defray the expenses of the Town in preparing and/or evaluating same. Such fee shall be in accordance with the schedule on file in the office of the Town Clerk in effect at the time of the action.

13. A Notice of Completion of a final environmental impact statement shall be prepared, filed, and sent in the same manner as provided in section 10 herein and shall be sent to all persons to whom the Notice of Completion of the draft environmental impact statement was sent. Copies of the final environmental impact statement shall be filed and made available for review in the same manner as the draft environmental impact statement.

14. No decision to carry out or approve an action which has been subject of a final environmental impact statement by the Planning Board or by any other agency shall be made until after the filing and consideration of the final environmental impact statement. Where the Planning Board has been the lead agency for an action, it shall make a decision whether or not to approve the action within 30 days of the filing of the final environmental impact statement.

15. When a Planning Board decides to carry out or approve an action which may have a significant effect on the environment it shall make the following findings in a written determination:

(a) consistent with social, economic and other essential consideration of state policy, to the maximum extent practicable, from among the reasonable alternatives thereto, the action to be carried out or approved is one which minimizes or avoids adverse environmental effects, including the effects disclosed in the relevant environmental impact statement; and

(b) all practicable means will be taken in carrying out or approving the action to minimize or avoid adverse environmental effects.

16. For public information purposes, a copy of the determination shall be filed and made available as provided in Part 617 of Title 6 NYCRR.

17. The Town shall maintain files open for public inspection of all Notices of Completion, draft and final environmental impact statements and written determinations prepared by the Planning Board.

18. Where more than one agency is involved in an action, the procedures of sections 617.4 and 617.8 of Part 617 of Title 6 NYCRR shall be followed.

19. Actions undertaken or approved prior to the dates specified in Article 8 of the environmental conservation law for local agencies shall be exempt from this local law and the provisions of Article 8 of the environmental conservation law and Part 617 of Title 6 NYCRR, provided however that if, after such dates a Planning Board modifies an action undertaken or approved prior to that date and the Planning Board determines that the modification may have a significant adverse effect on the environment, such modification shall be an action subject to this local law and Part 617 of Title 6 NYCRR.

20. This local law shall take effect immediately upon filing with the Secretary of State.



monthly until such time as new specifications can be drawn up for the operation of the Landfill in its new expanded location or a new location.

Consolidation of Town & Village - Edwin Wheeler reported that they are meeting occasionally and the next meeting will be May 11th at 7:30 P.M. at the Village Hall.

CONSOL.  
TN. & VILL.

Under unfinished business, the Land Acquisition was again discussed. Supervisor Aplin reported that Mr. Pinkley, representing Webaco, is willing to cooperate in regard to the land the Town is interested in but wants to see the area marked to scale on a map.

R.R. LAND  
ACQUIS.

The other item under unfinished business was Mr. Albertson's request for a Special Authorization. It was decided to wait for a full Board before making a decision.

M. ALBERTSON  
SPEC. AUTHG

Under new business, the Fire Insurance for the new Highway building which expires soon, was discussed and referred to the Insurance Committee. Insurance in general was discussed by the Board members.

INSURANCE

Supervisor Aplin reported on a Memorandum of Understanding from Vincent Fischette's office concerning the signing of contracts for the CETA Programs.

CETA

A letter from George Larsson in regard to an official flag for Palmyra was read and referred to the Consolidation Committee to discuss with the Village.

OFF. FLAG  
PALMYRA

A letter from R. Ranney concerning the Special Authorization of Max Albertson was brought to the Board's attention and will be put in Mr. Albertson's file.

The Board turned their attention to Local Law #1 concerning the Environmental Quality Review Act of Palmyra and discussed which Board would be the Review Board. The Resolution that Proposed Local Law #1 for 1977 was and hereby is adopted in the form hereby attached as Local Law #1 for 1977 was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos.

RESOLUTION  
ADOPTION OF  
LOCAL LAW #1  
for 1977

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

MOTION TO  
PAY BILLS

GENERAL FUND	VOUCHERS #111-134	5,669.44
PART TOWN FUND	" #16-18	270.80
HIGHWAY ITEM I	" #5 - 7	501.41
HIGHWAY ITEM III	" #53 - 75	2,909.99
HIGHWAY ITEM IV	" #29 - 36	6,151.94
CANANDAIGUA RD. WATER DIST.	" #6 - 8	38.67
JOHNSON RD. WATER DIST.	" #6 & 7	2.97
NORTH WATER DIST.	" #1 - 6	1,340.19
TOTAL		<u>\$16,885.41</u>

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

MOTION TO  
CLOSE MTG.

Respectfully submitted,  
*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

April 28, 1977

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Glenn Wideman, and Nelson Cook; Town Clerk Betty Stubbings, and Deputy Town Clerk Virginia Wilson. Town Councilman David Lyon joined the meeting later.

R. PETERSON  
BOR. FUNDS

At this time, Robert Peterson, Wayne County Planner, appeared before the Board with the Application for Funds for the Palmyra Community Park. Mr. Peterson explained Budget requests and had Supervisor Aplin sign all necessary papers.

ZONING

Committee reports were as follows:

Zoning - Francis Toole (1) Nothing to report on Mr. Yaeger, Collision Shop on Route 31 (2) A complaint has been received of illegal dumping on South Town Line Road on the Merlyn Schultdt property. Mr. Toole showed pictures he had taken of the site and reported that it was being cleaned up. (3) Illegal dumping on Cambier Road was reported and Mr. Toole showed pictures of this site also. It was determined that the property is owned by Mr. Richard Oakleaf and Mr. Toole will check with Mr. Oakleaf in regard to this violation. (4) Mr. Aplin reported illegal dumping on Jagger Road. There will be signs placed on Cambier Road and Jagger Road.

ILLEGAL  
DUMPINGR. FOWLERTAX INCENT.  
PROGRAM

At this time, Mr. Russell M. Fowler, Administration Director of the Wayne Economic Development Corporation, appeared before the Town Board regarding the Tax Incentive Program. He explained the three phases of the Tax Incentive Programs and suggested modifying our Town Law on the matter, or possible abolishment of it as a State Law also appears on the books. In the question and answer period which followed, a discussion of industrial growth took place. All involved agreed Town growth is stagnant without water. Literature on the Tax Incentive Program was passed out.

HIGHWAY

The Board returned to Committee reports:

Highway - David Lyon reported in regard to the bids being published and sent out for the new Highway Truck. (2) Local Law #2 has to be put in effect to help reduce our Town Liability Insurance. The following Resolution to advertise a public hearing on Local Law #2 for 1977 for May 26th at 7:30 P.M. was offered by Edwin Wheeler, seconded by Glenn Wideman and passed with 5 ayes and no nos:

RESOLUTION  
RE: LOCAL  
LAW - PUB.  
HRG.

WHEREAS, a Proposed Local Law has been presented to the Town Board requiring written notice of all defects and obstructions on Town Highways and Sidewalks to the Town of Palmyra, prior to commencement of a civil action against the Town of Palmyra or its Highway Superintendent for such defects and obstructions on highway and sidewalks of the Town of Palmyra, NOW THEREFORE BE IT RESOLVED, that the Town Clerk should publish a Legal Notice for Public Hearing in the Official Newspaper on said Proposed Local Law #2.

Progress on the Land Acquisition for a Right of Way on Quaker Road was reported by Town Attorney Paul Rubery.

ANNUAL  
WATER INSP.

Water - Nelson Cook (1) Harold Kruger, Water Superintendent, will make the Annual Water Inspection on May 23rd. (2) The petition for a proposed Water District on Route 31 was again discussed at length by the Board. The Town Engineer will be contacted for accurate figures before a decision will be made to proceed with the formation of a new district.

PETITION  
RT. 31 WATER  
DIST.ANTI-REC.  
FUNDS

Joint Recreation Commission - Nelson Cook - The use of Anti-Recession Funds for the Palmyra Community Center Project was discussed. Mr. Cook expects to have solid information by May 12th, then the decision as to what to use these

funds for can be made;

Landfill - Supervisor Aplin reported that the land owned by the County adjacent to the Landfill has been transferred to the Town. A correction will be in the paper regarding misinformation on the Landfill. Nelson Cook questioned if proper cover has been put on at the Landfill. When he has been at the site, the Landfill didn't seem to have enough cover. Supervisor Aplin will check with Walter Pulcini on this matter.

LANDFILL

Cemeteries - Roy Aplin - Nothing to report at this time.

Consolidation of Town & Village - Edwin Wheeler reported that there will be a meeting on Wednesday, May 11th at 7:30 P.M. in the Village Hall. All Town Board members are encouraged to attend.

CONSOLIDATION OF TN. & VILL. (MEETING)

Insurance - Edwin Wheeler and Glenn Wideman reported on the Town's Insurance coverage and the cost of same. Other points discussed were the possibility of putting the Insurance out for bid, the Self-Insurance Program and the Fire Insurance on the new Highway building.

INSURANCE

The following communications were considered by the Board: (1) A letter from Mrs. Clifford Wahl, Pres. of the Senior Citizens Club of Palmyra, was read. This was a request for the funds allowed in the Budget in the amount of \$500.00. This request for funds will be payable upon receipt of a signed voucher. Deputy Town Clerk Virginia Wilson will contact Mrs. Wahl. (2) Correspondence in regard to electrical corrections to be made at the Northside Trailer Park will be filed with Mr. Vanhaneghan's file on the Trailer Park. (3) Supervisor Aplin reported on the Status of the Voting Machine Contracts. The points in question have been agreed upon. A motion to pay the amounts due upon receipt of a signed voucher was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos.

REQUEST FOR FUNDS SR. CITIZEN

Supervisor Aplin explained that the Lanier Recorder has not been working properly and suggested that we pick up the Service Contract for 1 year on the machine. A motion made by Nelson Cook, seconded by Edwin Wheeler, approved payment for the Contract with Lanier Business Products. Motion passed with 5 ayes and no nos.

MOTION TO PAY VOT. MAC CONTRACTS

MOTION TO PAY FOR SER. CONTRACT ON LANIER RECORDER

The Board again turned their attention to Special Authorization requested by Max Albertson. A motion to oppose granting this Special Authorization was made by Roy Aplin, seconded by Edwin Wheeler to bring the motion to the floor for discussion. The motion was defeated with the following vote - Aye, Roy Aplin and Glenn Wideman - No, David Lyon, Edwin Wheeler and Nelson Cook.

SPEC. AUTHOR. M. ALBERTSON

MOTION TO OPPOSE - DEFEATED

A request from Bruce Davidson for permission to include United Fund forms in the Town PayRoll was granted by the Board. Mr. Davidson will send a letter verifying his request.

Town Councilman Nelson Cook reported that he has received a complaint concerning dogs running in the Meadow Drive area destroying property. Supervisor Aplin will send a letter.

DOG COM- PLAIN ON MEADOW DR.

The Wayne County Re-evaluation and re-assessment of Real Property was discussed at length by the Board.

The Board returned to Max Albertson's Special Authorization and the discussion continued. A motion was made by David Lyon to approve Mr. Albertson's Special Authorization for an airport on Harris Road under the following conditions: (1) This airport will be Non Commercial as defined in Chapter 5, Part 60, Section 60.1 of the New York State General Business Law, Section 249 which states it is open to the public and no aviation business conducted on the premises (2) There will not exceed 200 combined take-offs and landings per month from the airport (3) This use is limited to Mr. Albert-

SPEC. AUTH ALBERTSON

MOTION TO APPROVE

(NOT VOTED ON)

MOTION TO  
TABLE DE-  
CISION

SON's occupancy of the land. Motion was seconded by Edwin Wheeler. Discussion followed with a motion being made by Nelson Cook, seconded by Edwin Wheeler to table the decision until the next full Board and to allow time to obtain outside consul. Motion carried with 5 ayes and no nos. The following Resolution was offered by Glenn Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos: WHEREAS, the Town Attorney has declared a possible Conflict of Interest in the above proceedings, NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra be authorized to contact an attorney to act as consul for the Town and render advice to it in the above matter.

RESOLUTION  
TO OBTAIN  
OUTSIDE  
CONSUL

MOTION TO  
PAY BILLS

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

GENERAL FUND	Vouchers #135 - 146	\$ 8,747.30
PART TOWN FUND	" #19 & 20	7,500.00
HIGHWAY ITEM I	" # 8 & 9	3,284.56
WATER DISTRICTS		
Maple Ave. Water Dist.	# 12	851.89
to North Water Dist.		
Division St. Water Dist.	# 9	115.32
to North Water Dist.		
<b>TOTAL</b>		<b>\$20,499.07</b>

MOTION TO  
CLOSE

The motion to close this meeting was offered by Edwin Wheeler, seconded by Glenn Wideman and passed with 5 ayes and no nos.

Respectfully submitted,

*Betty B. Stubbings*  
Betty E. Stubbings, Town Clerk



**AFFIDAVIT OF PUBLICATION**

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



Geraldine A. Allen, 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 29, 1977

May 6, 1977

*Geraldine A. Allen*  
Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of June 1977

*Michael Donovan*  
Notary Public

Fee: \$ 14.21 MICHAEL N. DONOVAN  
WAYNE COUNTY COMM. EXPIRES 1/31/78  
#48184



May 12, 1977

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. on Thursday, May 12, 1977 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Glenn Wideman and Nelson Cook, Town Highway Superintendent James DeBrine, Jr., and Town Clerk Betty Stubbings. Interested persons attending were: Paul Burkhardt, Phil Arndt, Pete Pelli-tere, John Northrup, Tony Malone, Melvin Bushart and James Campbell. Town Councilman David Lyon joined the meeting later.

MEETING  
OPENED

The Board immediately turned their attention to the opening of bids for a new Highway Truck scheduled for 7:30 P.M.. The Clerk read the Proof of Publication. The following bids were opened and read:

OPENING OF  
BIDS FOR  
HWY. TRUCK

		<u>Bid Price</u>
Truck Town Sales & Service Geneva, New York	- Single Axle Tandem Axle	\$21,050.00 \$24,900.00
Génesee Ford Truck Sales Rochester, New York	- Single Axle Tandem Axle	\$21,139.00 \$28,610.00
Beam-Mack Sales & Service Rochester, New York	- Single Axle	\$22,991.00

Supervisor Aplin closed the bids and the Board returned to the regular meeting.

BIDS  
CLOSED

Under communications the following letters were read by the Clerk:

COMMUNICA-  
TIONS

- (1) A letter from Dennis Cook tendering his resignation as a member of the Board of Assessment Review
- (2) A letter from Mrs. Sherwood (Eva) Mate in regard to the sale of the former Cady & Mate Funeral Home on Cuyler Street
- (3) A letter from the Department of Transportation concerning Road Strip-which which was noted as received and filed.

Committee reports were offered as follows:

COMMITTEE  
REPORTS

Zoning - Francis Toole reported on the following items: (1) He has received an application from Peter Burm, Jr. for Special Authorization to open a Commercial Greenhouse. A motion was made by Glenn Wideman, seconded by Nelson Cook to refer this request to the Planning Board for review and re-commendations. Motion passed with 3 ayes and no nos. (2) A letter from Donald Jeffery stating that he will be replacing storage tanks at his business on Jeffery Road. Supervisor Aplin will check with the Town Attorney in re-gard to the size of the replacement tanks. (3) A letter was read from Lawrence Mooney, Attorney for Jamson Corporation concerning an extension of the Special Authorizations to operate a gravel pit on Palmer Road. This de-cision was tabled until the recommendations of the Planning Board are re-ceived. (4) Mr. Toole stated that when he last checked, nothing more had been dumped at the areas of violation on Cambier Road and South Townline Road. (5) Mr. Toole also reported that applications for Building Permits have increased recently.

ZONING  
SPEC. AUTHOR  
FOR GREEN-  
HOUSE  
MOTION TO  
REFER TO PL.  
BD.

REQUEST  
FOR EXTENS.  
OF SPEC. AUTH  
JAMSON  
TABLED

DUMPING  
VIOLATIONS

Town Attorney Paul Rubery joined the meeting at this time.

Water - Town Engineer Tony Malone reported to the Board concerning the re-evaluation of the property on Route 31 involved in the Proposed Route 31 East Water District. Mr. Malone described the area involved, Palmyra Vill-age Line to the Johnson property. He also submitted a cost analysis and offered a possible cost per taxpayer which is in a reasonable range. Other AREAs which could be considered in the Proposed Water District were dis-cussed. The Board decided to have Mr. Malone work up a cost analysis for an area which would include more properties on Route 31 and the properties on

T. MALONE  
REPORT ON  
PROP. WATER  
DIST.

Hammond Road. Informational letters will be sent to taxpayers in order to determine how much of an area this Proposed District should cover.

HIGHWAY

Highway - David Lyon reported that he has not been contacted as yet by Dick Zimmerman in regard to speaking to the Board on the Culvert Elevation Survey. The bids opened earlier in the meeting were referred to the Highway Committee for study. Town Highway Superintendent James DeBrine reported that necessary repairs on the Gradall will amount to \$2,000, possibly \$2500. The Town Attorney reported that Webaco is submitting an Abstract to the Town for the Right of Way along Quaker Road. The Department of Transportation has contacted the Town of Palmyra concerning the length of time involved in acting on the Preferential rights. The Town Attorney has responded to this correspondence and has discussed with Webaco the property in question and problems connected. Litter along Town and County Roads was discussed. The possibility of increasing the fine for littering and other ways of handling violators was also discussed. Mr. DeBrine reported that this subject is being covered at Highway Superintendents meetings.

BIDS REFERRED TO COMMITTEE REPAIRS ON GRADALLLAND ACQ. R.R. PROP.LITTER ON ROADSLANDFILL

Landfill - Supervisor Aplin and Town Attorney Paul Rubery reported on the property adjacent to the Landfill which the County has signed over to the Town.

CEMETERIES

Cemeteries - Mr. Aplin reported that 4 of the Town Cemeteries are now cleaned up.

CONSOL. OF TN. & VILL.

Consolidation of Town & Village - Nelson Cook reported on the meeting with the Village, held on Wednesday May 11th.

WAYNE CO. NO. SYSTEM

Wayne County Numbering System - Supervisor Aplin reported that the Preliminary work is completed except for some unknowns. The numbers are ordered and informational letters will go out soon to approximately 1100 residences involved. A possible effective date of July 1st has been established.

Nelson Cook asked when CETA worker Margaret Reithel could start on the lists of persons in the Water Districts. This work will have to be done at the Village Office.

JT. REC. COMM.

Joint Recreation Commission - James Campbell and Melvin Bushart came before the Board with a list of equipment and items needed to furnish the new Community Center stating specific amounts in their request for Anti-Recession

PAL. COMM. CTR. RE: ANTI-RECESS. FUNDS

Funds to be used for the Palmyra Community Center. They presented a list of Recreation equipment which would amount to approximately \$6,000 and a list of other items, such as coat racks, chairs, tables, etc which would amount to approximately \$3,000. Mr. Campbell spoke to the Board in regard to the progress on the project as a whole. Everything seems to be shaping up very well, the only thing left seems to be signatures, plus some checking at Lyons to make sure there are no restrictions on the use of the land. Following considerable discussion, it was decided that to protect the Town Board, it would be best to have a contract with the Palmyra Community Center Board. A motion was made by Glenn Wideman to instruct the Town Attorney to draw up a contract with the Palmyra Community Center Board for the purchase of Recreation equipment using Anti-Recession Funds from the Town of Palmyra. Motion was seconded by David Lyon and passed with 4 ayes and no nos.

MOTION TO DRAW UP CONTR. W/ PAL. COMM. CTR. RE.

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

GENERAL FUND	Vouchers # 147-165	\$14,874.93
PART TOWN FUND	Vouchers # 21 - 23	230.10
HIGHWAY ITEM I & IA	Vouchers # 10 - 16	7,871.65
HIGHWAY ITEM III	Vouchers # 76 - 93	1,426.20

WATER DISTRICTS		
Canandaigua Rd.	Vouchers #9	\$1,875.46
Johnson Rd.	" #8	690.00
South Water District	" #1,2	1,749.79
North Water District	" #7,8	3,362.52
<b>TOTAL</b>		<b>\$32,080.65</b>

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

Respectfully submitted,  
*Betty B. Stubbings*  
 Betty B. Stubbings, Town Clerk

May 26, 1977

PUBLIC  
HEARING  
RE: LOCAL  
LAW #2

The Public Hearing scheduled for 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of hearing persons interested in Local Law # 2, of 1977 was opened by Supervisor Aplin at 7:30 P.M.. The Proof of Publication was read by the Town Clerk. No one appeared to speak in favor of or against this Proposed Local Law and Supervisor Aplin declared the hearing closed.

MEETING  
OPENED

At 7:45 P.M. Supervisor Aplin opened the regular meeting of the Town Board of the Town of Palmyra with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Nelson Cook and David Lyon, Town Highway Superintendent James DeBrine, Zoning Officer Francis Toole, Assessor Robert Kirchhoff, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Town Councilman Glenn Wideman joined the meeting later.

MOTION TO  
APPROVE  
MINUTES

A motion to dispense with the reading of and approve the minutes of the April 14th, April 28th and May 12th Town Board meetings was made by David Lyon, seconded by Nelson Cook and passed with 4 ayes and no nos.

One item of correspondence from the New York State Office of District Engineers in regard to Public Meetings concerning a Plan of Study for Navigation Improvements on the Canal System was reviewed by the Board.

ZONING  
REPORT

Zoning Officer Francis Toole offered the following Zoning report:

- (1) The old machinery, cars, etc. in violation on the Blackburn Property are being moved out
- (2) Mr. Musshaven's attorney called the Town Attorney to report that the items in violation will be removed within two weeks
- (3) There is no report as yet from Judge White in regard to Mr. Yaeger on Route 31
- (4) A letter has been sent to Mr. Jeffery concerning the size of the tanks he will be using to replace some of the Storage tanks at his place of business on Jeffery Road
- (5) Town Councilman Edwin Wheeler questioned what could be done concerning the congestion ( vehicles parked along the Highway) on Route 21 South just outside the Village. He feels this area is hazardous. Town Councilman David Lyon reported that a similar situation exists in certain areas along North Creek Road. Discussion followed which also included motorcycles violations in some areas of the Town
- (6) Mr. Toole reported that he had checked on a complaint in regard to trucks being parked at Everdyke's (formerly Dunk's) on Hammond Road.

CULVERT  
ELEVATION  
SURVEY

D. ZIMMERMAN

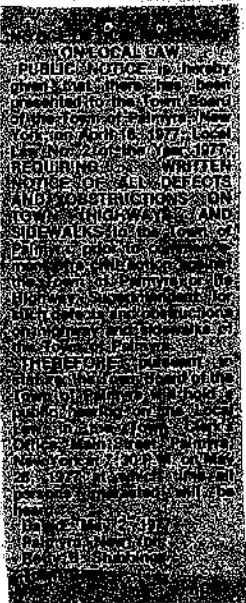
At this time (8:00 P.M.), Dick Zimmerman of the Soil Conservation Service came before the Board to discuss the Culvert Elevation Survey being done by Wayne County. Mr. Zimmerman presented complete and informational material to the Board and this Survey was discussed at length.

MOTION TO  
EXTEND  
JAMSON SPEC.  
AUTHOR.  
1 YEAR

The Board returned to some items under Zoning - (7) The Jamson Corporation's request for an extension on the Special Authorization to operate a gravel pit on Palmer Road again came before the Board for a decision. The Clerk read the recommendations from the Planning Board and this request was discussed. A motion was offered by Edwin Wheeler, seconded by Nelson Cook that the Town Board accept the Planning Board's recommendations to grant a 1 year extension on this Special Authorization, the extension to run from May 22, 1977 to May 22, 1978 with the same stipulations contained in the original Special Authorization as stated at that time by the Planning Board. Motion passed with 3 ayes and 1 no - Roy Aplin voting no. (8) The Town Attorney reported on the hearing with Judge Siracuse concerning the Costich request for Special Authorization to open a gravel pit on Route 21. The Court

**AFFIDAVIT OF PUBLICATION**

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



Geraldine A. Allen, 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 6, 1977 .....

..... *Geraldine A. Allen* .....

Foreman of the Publisher

Subscribed and sworn to before me

this 10 day of May 1977

..... *Michael M. Donovan* .....

Notary Public

Fee: \$ 10.54

WARRANTY OF PUBLICATION



**AFFIDAVIT OF PUBLICATION**

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



Geraldine A. Allen 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 3, 1977

*Geraldine A. Allen*

Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of June 1977

*Michael N. Donovan*

Notary Public

MICHAEL N. DONOVAN

Fee: \$8.85 WAYNE COUNTY COMM. EXPIRES 1/30/78

140321009

LOCAL LAW NO. # 2 of the Year 1977

A local law providing for written notification of defects and obstructions on Town highways and sidewalks of the Town of Palmira.

Be it enacted by the Town Board of the Town of Palmira.

Section 1. No civil action shall be maintained against any town or town superintendent of highways for damages or injuries to persons or property sustained by reason of any highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway, bridge or culvert was actually given to the town clerk or town superintendent of highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger, or obstruction complained of; but no such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge or culvert, unless written notice thereof, specifying the particular place, was actually given to the town clerk or town superintendent of highways and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

Section 2. The town superintendent of highways shall transmit in writing to the town clerk within five days after the receipt thereof all written notices received by him pursuant to this local law and subdivision 2 of section 65-a of the Town Law. The town clerk shall cause all written notices received by him or her pursuant to this local law and subdivision 2 of section 65-a of the Town Law, to be presented to the town board within five days of the receipt thereof or at the next succeeding town board meeting whichever shall be sooner.

Section 3. This local law shall sup. in its application to the Town of

Palmyra subdivisions 1 and 3 of section 65-a of the Town Law.

Section 4. This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with the provisions of section 27 of the Municipal Home Rule Law.

Dated: May 26th, 1977

TOWN OF PALMYRA

Betty B. Stubbings  
Town Clerk

has ordered the Town to schedule a re-hearing and has ordered Mr. Costich to furnish information to be reviewed by the Planning Board so they can make more precise recommendations.

COSTICH APPLICATION

Committee reports continued as follows:

Highway - Town Highway Superintendent James DeBrine reported that under Section 1680, Sub-division A of the Vehicle & Traffic Law, a Stop sign is to be placed at Cornwell Road and South Townline Road. A motion made by Edwin Wheeler, seconded by Nelson Cook authorized the placing of the Stop sign on Cornwell Road at the intersection of Cornwell and South Townline Roads. Motion passed with 5 ayes and no nos.

MOTION TO APPROVE STOP SIGN AT SO. TN. LINE & CORNWELL RD.

The Highway Committee reported on their study of the bids received for a new Highway truck - Genesee Ford had the lowest bid on the single axle and Truck Town Sales had the lowest bid on the tandem axle. The Committee recommended that the Town purchase the International Tandem. Town Councilman Edwin Wheeler moved that the Board accept the recommendation of the Committee and award the bid to Truck Town Sales & Service for the International Tandem Axle Truck for \$23,900.00. The motion was seconded by Glenn Wideman. Discussion followed and the motion passed with a vote of 5 ayes and no nos.

MOTION TO AWARD BID FOR HWY. TRUCK TO TRUCK TN. SALES

Supervisor Aplin questioned Town Highway Superintendent DeBrine on the safety aspect of the intersection of Palmer Road and Hogback Hill Road, considering there has been another serious accident at this spot. Mr. DeBrine reported that new higher Yield signs have been erected plus "Yield Ahead" signs. The Supervisor questioned the need of a Stop sign and this was discussed by the Board. The Highway Committee will study this problem and contact the Wayne County Sheriff's Department to do a Traffic Survey.

SIGNS AT PALMER & HOGBACK HILL ROADS

There was nothing new to report in regard to the acquisition of the Right of Way along Quaker Road from Division Street to Maple Avenue.

The Board returned to the business of Local Law #2 of 1977 for which the Public Hearing was held earlier. The Resolution that Proposed Local Law #2 for 1977 was and hereby is adopted in the form hereby attached as Local Law #2 for 1977 was offered by David Lyon, seconded by Nelson Cook and passed with 5 ayes and no nos.

RESOLUTION RE: LOCAL LAW #2

At this time the Assessor, Robert Kirchhoff appeared before the Board to discuss the new Re-assessment and Re-evaluation of Real Property and to report on the progress being made in regard to corrections and adjustments. Various ways of informing taxpayers that the Town Office and the Assessor will be available to help in any way prior to Grievance Day was discussed. A motion made by Glenn Wideman, seconded by Nelson Cook authorized the placing of ads in the Timesaver and Shoppers Guide of the Newark Courier Gazette to inform Palmyra taxpayers of the Saturday hours when the Assessor will be in the Town Office. Motion carried with 5 ayes and no nos.

DISCUSSION W/ ASSESSOR RE: RE-ASSESSMENT

Water - Chairman Nelson Cook reported on the progress concerning the Proposed Water District on Route 31 East. The next step will be to get a letter out to all residents - this will include residents in Phase I, II and III of the Engineering Study.

MOTION TO PLACE ADS

Consolidation of Town & Village - David Lyon reported on a meeting he attended on Wednesday, May 18th. Various ways of consolidating services of the Town and Village were discussed.

PROPOSED WATER DIST

Landfill - Supervisor Aplin reported that the property deed for the land at the Landfill which the County has given to the Town has been turned over to

PROPERTY DEED FOR LANDFILL

Don Crowley, County Attorney. Town Councilman Edwin Wheeler questioned who can use the Landfill and what type of material can be put on the Landfill.

Wayne County Numbering System - Supervisor Aplin reported that the list is completed. A letter will be composed to be included in the packet. The possible effective date is July 15th. The following Resolution was offered by Edwin Wheeler, seconded by Glenn Wideman and passed with 5 ayes and no nos:

RESOLUTION  
RE: ADOPTION  
OF NUMBERING  
SYSTEM

WHEREAS, this Town Board is of the opinion that the adoption of a uniform system of numbering roads, streets and avenues throughout the County is advantageous and desirable, it is hereby  
RESOLVED, that pursuant to subdivision 9 of Sec. 64 of the Town Law, this Town Board does hereby adopt said uniform "Approved Property Numbering System" and hereby designates by name and number the roads, streets and avenues which method is hereby adopted as the official system of the Town and ordered filed in the office of the Town Clerk.  
FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to notify the following persons or agencies of the action herein taken and to furnish each with a copy of the official numbering map of the Town within ten days from the time such map with road names can be prepared. 1. Board of Assessors, 2. Town Planning Board, 3. County Clerk, 4. County Superintendent of Highways, 5. Clerk of Board of Supervisors, 6. Local U.S. Post Office.

MOTION RE:  
APPOINTMENTS  
TO ED. OF  
ASSESS. REV.

Under unfinished business, the following appointments to the Board of Assessment Review were made: A motion was made by David Lyon to appoint Glenn Young to another 5 year term and to appoint Walter Magee to complete Dennis Cook's term; expiration date is May 1979. Motion was seconded by Glenn Wideman and passed with 5 ayes and no nos.

MOTION RE:  
LEASE FOR  
OFFICE

Supervisor Aplin and Town Attorney Paul Rubery reported on the lease for the office. The Board discussed the offer made by Anson Johnson, Jr. A motion was made by Edwin Wheeler to enter into an agreement with Anson Johnson, Jr. effective June 1, 1977 to rent the office for \$125 per month for 1 year at which time wither party may terminate the lease with a 90 day notice. Motion was seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION RE:  
SUPERVISOR  
ATTENDING  
CONFERENCE

A motion was made by Edwin Wheeler authorizing the Supervisor to attend a conference at Alexandria Bay June 26th - June 29th. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO  
PAY BILLS

David Lyon reported on the status of the Albertson application for Special Authorization. The lawyer expects to be ready soon to meet with the Board to go over this request.

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

GENERAL FUND	Vouchers # 166 - 182	\$12,321.34
PART TOWN FUND	" #24 & 25	330.51
HIGHWAY ITEM I	" # 17 - 19	8,522.92
HIGHWAY ITEM IV	" # 37	7,827.33
NORTH WATER DISTRICT	" #9 & 10	78.92
SOUTH WATER DISTRICT	" # 3 & 4	42.92
TOTAL		\$29,123.94

MOTION TO  
CLOSE

The motion to close this meeting was offered by Edwin Wheeler, seconded by Glenn Wideman and passed with 5 ayes and no nos.

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk



June 9, 1977

87

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, June 9, 1977 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, and Nelson Cook, Zoning Officer Francis Tools, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Town Councilman David Lyon joined the meeting later. Interested persons or those having business to come before the Board were: Paul Burkhardt, Peter Burn, Jr., Donald Jeffery, Sr., Donald Jeffery, Jr., Allen & Frances Deppen.

MEETING  
OPENED

The following items of correspondence were read by the Clerk (1) A letter from Dale Marshall, formerly of T. H. Huhn, Co., informing the Town Office of the opening of his company, Voting Machine Service Center, Gerry, New York (2) A letter from Truck Town Sales & Service in regard to the Town's recent purchase of an International Truck (3) A Petition for the formation of a Water District in the East Palmyra-Port Gibson Road area.

CORRESPONDENCE

The Committee reports were as follows:

COMMITTEE  
REPORTS

Zoning - Francis Tools reported to the Board on the following items (1) A request from JL Fuels, Inc., Palmyra for an increase in an existing non-conforming use. Don Jeffery, Sr. and Don Jeffery, Jr. were present to explain why their company needed additional tanks for storage of Fuel Oil at their place of business. The Clerk read letters from Mr. Jeffery and the Exxon Company who supplies JL Fuels. After a lengthy discussion, Mr. Jeffery was advised to present his request to the Planning Board on June 14th in order for the Town Board to have the recommendations at their June 23rd meeting at which time a Public Hearing would be held according to the Zoning Ordinance. A motion to authorize the posting of the legal notice for a public hearing for JL Fuels request was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos. (2) Peter Burn's request to build and operate a Commercial Greenhouse again came before the Board. Mr. Burn was also advised to present his request to the Planning Board on June 14th. The motion to advertise a public hearing for this request was made by Nelson Cook, seconded by Edwin Wheeler and passed with 4 ayes and no nos. (3) The Thomas Costich request to open a gravel pit on Route 21 - Town Attorney Paul Rubery reported to the Board on the Court proceedings in regard to this Zoning request. The Court has ordered a re-hearing to be held June 23rd, at which time Mr. Costich and his attorney are to present more definite information concerning the area where the gravel will be taken, also results of tests showing amount and type of gravel. The motion to advertise for a public hearing was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos. (4) Mr. Yaeger, who has a Collision Shop on Route 31 was summoned to appear in Court but was granted adjournment of 2 weeks because of a death in the family. (5) Gary Robbins was served with a 10 day notice on June 6th because of more complaints concerning junk cars on his property in East Palmyra. (6) Allen Granger was served with a 10 day notice of violation on June 4th because the trailer in violation of the Zoning Ordinance has not been moved out. (7) A report of a number of unlicensed cars on the former Granger property on Maple Ave. was discussed. (8) The Musshaven violation - The Town Attorney contacted Mr. Musshaven's attorney and was assured the vehicles

ZONING

MOTION TO  
POST PUB. HRG.  
JL FUELS

MOTION TO  
POST PUB. HRG.  
P. BURM

T. COSTICH  
GRAVEL PIT

MOTION TO  
ADV. PUBL.  
HRG. COSTICH

YAEGER  
COLLISION SH.

G. ROBBINS  
10 d. NOTICE

A. GRANGER  
10 da. NOTICE

MUSSHAVEN  
VIOLATION

ALBERTSON  
REQUEST

in violation will be removed. Mr. Toole will check and report to the Board on June 23rd. (9) Max Albertson's request for an airport on Harris Road - David Lyon reported that the Attorney, Mr. Walter Eves is not ready for an appearance before the Town Board.

PETITION  
FOR WATER  
DIST. IN  
E. PAL. AREA

Water - (1) The petition from residents in the East Palmyra area requesting water was read by the Clerk and presented to the Board. Discussion followed with Mr. & Mrs. Deppen of the East Palmyra- Port Gibson Road speaking for the petitioners. Nelson Cook, Chairman of the Water Committee, will contact Town Engineer Tony Malone for a windshield study of the area for an estimate on the cost of a Water District in the East Palmyra Area. (2) Mr. Cook advised the Board of a letter from the Village of Palmyra concerning

MASTER  
METERS

the Master Meters to be installed in each of the Water Districts. Discussion followed. (3) Proposed Water District, Route 31 East - nothing to report at this time. (4) A motion to pay Harold Kruger, Water Superintendent for expenses incurred while attending a Finger Lakes Water Workshop was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos.

MOTION TO  
PAY H. KRUGER  
EXP. FOR  
WORKSHOPASSESS. R.  
KIRCHHOFF  
INFO. RE:  
FILMING  
RECORDS

At this time, Assessor Robert Kirchhoff came before the Board to present and discuss with the Board possible ways of filming the tax rolls - also, tax maps and other records in the office. Micro-filming the information and having a micro-faisch reader machine in the Town Office seemed to be a logical solution to the problems involved in having the information available, easily and quickly, when questions come into the Town Office. Problems in regard to the re-assessment and re-evaluation were discussed by the Board and the Assessor.

MOTION TO  
DECLARE D.  
TRL. SUR-  
PLUS

Highway - Chairman David Lyon reported there is a dump trailer to be disposed of. A motion to declare the dump trailer as surplus was offered by Edwin Wheeler, seconded by Nelson Cook and carried with a vote of 4 ayes and no nos. Nelson Cook questioned how we were planning to pay for the repairs on Quaker Road and David Lyon stated that those repairs would come under regular road maintenance and not road improvement. The Town Attorney reported that he had talked with the attorney for Webaco concerning the Right of Way on Quaker Road and he expects to receive the Abstract in about 2 weeks.

RT. OF WAY  
QUAKER RD.

Joint Recreation Commission - Nelson Cook, Chairman The Town Attorney has completed the Contract between the Town of Palmyra and the Palmyra Community Center Board and this was presented to the Board for approval. The Anti-Recession Funds which are to be used as funds for this contract were discussed. A motion to approve the Contract with the Palmyra Community Center Board to purchase equipment with Anti-Recession Funds in the amount of \$8973.00 plus accrued interest to and including June 30th was made by David Lyon, seconded by Edwin Wheeler and passed with 4 ayes and no nos.

MOTION TO  
APPROVE  
CONTR. W/  
PAL. COMM. CTR.LEASE FOR  
OFFICE

Town Attorney Paul Rubery reported that he is in final negotiations with the attorney for Anson Johnson, Jr. on the lease for the office. Landfill - Supervisor Aplin reported that the land acquired from the County is surveyed and the stakes are in. A general discussion was held on the Landfill and the area to be used.

LANDFILLWAYNE CO.  
NO. SYS.

Under unfinished business, Supervisor Aplin reported on the progress of the Wayne County Numbering System. A date of distribution will be discussed with the 3 Fire Departments involved. It is expected that June 18th will be the distribution date.

The Clerk presented the lists of Election Inspectors to the Town Board for approval. A motion was made by David Lyon, seconded by Nelson Cook approving the appointment of the following Election Inspectors and Alternates. Motion was carried with a vote of 4 ayes and no nos:

MOTION TO APPROVE ELECTION INSPECTORS

- District #1 - Pauline Sampson, Marjorie Lawrence, Katherine Lewis, Joanne Lati
- District #2 - Sidney Fitzgerald, Connie Lawson, Louise Sexton, Lucille Clark
- District #3 - Janice Fitzgerald, June McCuen, Helen Parsons, Marcia Robbins
- District #4 - Ann Guest, Harriett Mahoney, Elizabeth Schrader, Elberta Johnson
- District #5 - Margaret Bennett, Helen Popeck, Sophie O'Meal, Bernice Young
- District #6 - Nora O'Brien, Suzanne Sementilli, Gladys Batterby, Cora Sampson
- Alternates - John Rigney, Ann Tyler, Carolyn Hall, Michelena Kaempffe, John Lynn, Kathleen Gorall, Theresa Wizeman, Myrna Clark, Susan Suhr, Frances Lester, Addie DeVuyst, Janet Walton.

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

MOTION TO PAY BILLS

GENERAL FUND	VOUCHERS	\$ 183 - 202	3371.21
PART TOWN FUND	"	# 26 - 28	213.31
HIGHWAY ITEM I	"	# 20 - 26	9483.57
HIGHWAY ITEM III	"	# 94 - 107	1366.31
HIGHWAY ITEM IV	"	# 38	374.40
TOTAL			<u>\$14808.80</u>

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

MOTION TO CLOSE

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

June 23, 1977

PUBLIC  
HEARING  
COSTICH

The Public Hearing scheduled for 7:30 P.M., Thursday, June 23, 1977 in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of re-hearing, as ordered by Judge Syracuse, the application of Thomas Costich for Special Authorization to open a gravel pit on Route 21, was opened by Supervisor Aplin at 7:30 P.M.. Town Officers present were: Supervisor Leroy Aplin, Town Councilmen Edwin Wheeler, Nelson Cook and David Lyon, Zoning Officer Francis Toole, Town Attorney Paul Rubery, Assessor Robert Kirchhoff and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were: Paul Burkhardt, Ralph & Florence Collier, Henry Nesbitt, Thomas Costich, Michael Grow, Peter Burn, Steve Jackson and Paul Moderacki. The Proof of Publication was read by the Clerk. Henry Nesbitt, Attorney for Mr. Costich, spoke briefly to the Board, then introduced Michael Grow who presented information to the Town Board as required by the Court. Mr. Costich also spoke in his own behalf and answered questions posed by the Board members. Ralph & Florence Collier expressed their opposition to this request. All concerned had an opportunity to speak. Mr. Grow left with the Clerk an application for a permit from the Department of Environmental Conservation. There are several questions on the application to be answered by the Town of Palmyra. Supervisor Aplin declared the hearing closed at 8:30 P.M. ( a complete record of the minutes of this hearing is filed in the Thomas Costich folder - Special Authorization)

HEARING  
CLOSEDPUBLIC  
HEARING  
BURN

At 8:30 P.M. the hearing scheduled for the purpose of hearing the application of Peter Burn for Special Authorization to build and operate a Commercial Greenhouse was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. Mr. Burn spoke in his own behalf and explained to the Board what kind of business he wanted to establish. Mr. Burn's application had been reviewed by the Planning Board on June 14th but they made no recommendations at that time because they wanted to discuss some points with the Town Attorney. After asking if there was anyone to speak for or against this request, Supervisor Aplin closed the hearing at 8:40 P.M..

HEARING  
CLOSEDMEETING  
OPENED

At 8:45 P.M., Supervisor Aplin opened the regular meeting of the Town Board of the Town of Palmyra with a moment of silent prayer and the Pledge of Allegiance to the Flag.

The Town Clerk read a communication from Richard Pickett concerning Palmyra Canaltown Days. Included was an invitation for the Town Board to participate in the parade.

COMMITTEE  
REPORTS  
ZONING

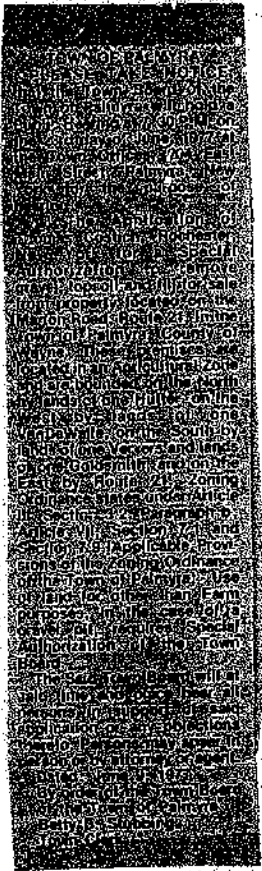
Committee reports were as follows:

Zoning - Francis Toole, Zoning Enforcement Officer, reported on the following items (1) Allen Granger - the trailer in violation has been removed and no action is necessary at this time (2) Gary Robbins was given a 10 day Notice of Violation which has run out. This violation was discussed at length by the Board and the question was raised in regard to the possibility of the operation of a towing service from his home. Several other possible violations concerning unlicensed or junk cars were also discussed. (3) Mr. Musshaven has not complied and will be asked to appear before Judge White (4) Mr. Yaeger's case was adjourned to the 20th (5) Mr. Toole received a complaint concerning Countryman's in East Palmyra - again, the number of cars was the reason (6) Carolyn Hall, Maple Avenue, had talked with Mr. Toole and Mr. Rubery in regard to opening a bookstore in her home. This would be in violation of the Zoning Ordinance. A general discussion covered several types of possible Zoning violations. Ways of coping with these was discussed. The Board also considered



**AFFIDAVIT OF PUBLICATION**

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



Geraldine A. Allen, 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 10, 1977

*Geraldine A. Allen*  
Foreman of the Publisher

Subscribed and sworn to before me

this 15 day of July 1977  
*Michael W. Huberman*  
Notary Public

Fee: \$ 15.39

**AFFIDAVIT OF PUBLICATION**

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

Geraldine A. Allen, 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 17, 1977

*Geraldine A. Allen*

Foreman of the Publisher

Subscribed and sworn to before me

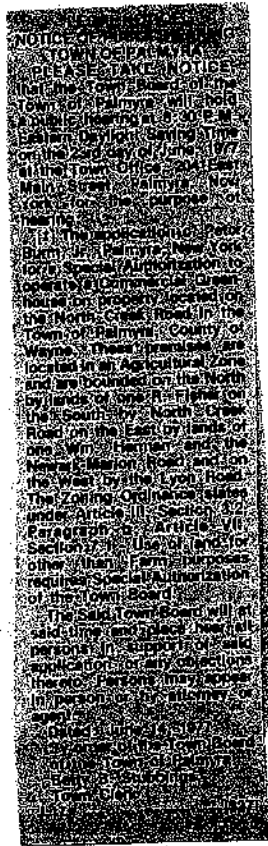
this 20 day of June 1977

*Michael M. Donovan*  
Notary Public

MICHAEL M. DONOVAN

Fee: \$ 14.82

WAYNE COUNTY FORMAL RECORDS UNIT  
JUN 20 1977



continuing with the re-vision of the Zoning Ordinance and getting that enacted. During this discussion, Mr. Burm's request was again brought before the Board. Mr. Rubery stated he would talk with Frank Koeberle, Chairman of the Planning Board, to check on the points the Planning Board was unsure of. Mr. Burm had not been present at the Planning Board meeting to answer some questions they had (7) David Lyon reported that he had received a letter from Attorney Walter C. Eves in regard to Max Albertson's request. This letter was discussed by the Board and the Zoning Ordinance in reference to the Albertson application was also discussed. David Lyon will contact Mr. Eves about appearing at the next Town Board meeting, July 14th. (8) Thomas Costich application for a Special Authorization to open a gravel pit on Route 21; Town Councilman Edwin Wheeler opened the discussion by stating that he felt the Town Board should follow the Planning Board recommendations and grant this Special Authorization subject to State approval. A motion was made by Edwin Wheeler that the Town Board grant the Special Authorization to Mr. Costich. There was no second and the motion was lost. Discussion continued with Town Councilman David Lyon stating that he wasn't ready to make a decision and wanted time to go over the minutes of the re-hearing and the new material which has been presented. The Board checked with the Town Attorney on postponing this decision until the July 14th meeting and the Town Attorney advised that there should be no problem considering there was new material to be reviewed and providing they moved promptly once the material had been gone over. The Supervisor stated that he felt all this was unnecessary and he moved to deny this Special Authorization. There was no second and the motion was lost. Nelson Cook made the motion to table the decision on the Special Authorization until the next meeting, after the Board has had time to review the contents of tonight's hearing and any other material available in relationship to this matter. Motion was seconded by David Lyon and passed with 3 ayes and 1 no, Edwin Wheeler, Nelson Cook and David Lyon voting aye and Roy Aplin voting no. (9) Town Attorney Paul Rubery talked with Frank Koeberle in regard to Peter Burm's request and the Board again covered this Special Authorization thoroughly. A motion to approve Mr. Burm's request for Special Authorization to build and operate a Commercial Greenhouse with the following conditions was offered by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes and no nos: (1) Only items grown on the premises will be sold (2) The building should be substantial and of good appearance (3) There will be no parking on the road (4) The applicant will comply with the Zoning Ordinance in regard to signs (5) The applicant will comply with any applicable Local, State or Federal Laws, Rules and Regulations.

ZONING  
CONT'D

COSTICH

MOTION TO  
APPROVE  
(LOST)

MOTION TO  
DENY  
(LOST)

MOTION TO  
TABLE

BURM

MOTION TO  
APPROVE  
W/CONDITIONS

PETITION  
SPEED  
ZONE

MOTION TO  
REFER TO  
CO. SAFETY  
COMM.

Highway - Cheryl Collier of Bear Hill Drive came before the Board to present a Petition signed by 42 residents of Bear Hill Drive and Rolfe Street requesting the Town to establish a Speed Zone with a Speed Limit of 30 miles per hour. A motion was made by Nelson Cook, seconded by Edwin Wheeler that this Petition be referred to the County Safety Committee for recommendations and input and an answer to be received in order to act at the July 14th Board meeting - also included in this motion was the following Resolution to be sent with the Petition: WHEREAS, a petition has been received to establish a Speed Limit of 30 miles per hour on Rolfe Street and Bear Hill Drive in the Town of Palmyra, County of Wayne, State of New York, AND WHEREAS, the Town Board deems it necessary to request a Speed Limit not to exceed 30 miles per hour on said highways, NOW THEREFORE BE IT RESOLVED, on the motion made by Nelson Cook, seconded by Edwin Wheeler that the Town Board of the Town of Palmyra requests that the New

RESOLUTION  
RE: REQUEST  
SPEED ZONE

York State Department of Transportation and the Wayne County Traffic Safety Board establish a Speed Limit on Rolfe Street and Bear Hill Drive not to exceed 30 miles per hour. Motion was carried with a vote of 4 ayes and no nos.

In the absence of Town Highway Superintendent James DeBrine, David Lyon reported on the following items (1) The new Highway Truck has been received (2) The intersection at Hogback Hill Road and Palmer Road will continue to be monitored in order to determine if Stop signs rather than Yield signs will be necessary. (3) The Town Crew is finishing the regular repairs on the Town Roads (4) Mr. DeBrine expects to start soon on the Road Improvement Program - Lusk Road and O'Meal Road (5) The Town Attorney reported on the progress in regard to the Right of Way on Quaker Road.

WATER

Water - Nelson Cook, Chairman of the Water Committee, reported that the letter which is to be sent to residents in the Proposed Water District, Route 31 East explaining costs, etc. is not yet ready for typing and copying. Mr. Cook has checked with the Village of Palmyra in regard to the Village being able to supply the water for this District. He will meet with the Chairman of the Village Water Committee. Mr. Cook also reported that he has not contacted Town Engineer Tony Malone concerning the study of the East Palmyra - Port Gibson Road area.

ASSESSOR'S  
REPORT RE:  
RE-ASSESS.

At this time, Assessor Robert Kirchhoff came before the Town Board to report on and discuss with them the Re-Assessment and Re-evaluation of property in Palmyra. Mr. Kirchhoff reported that he and the Board of Assessment Review listened to 65 cases on Grievance Day, June 21st. There are approximately 100 more cases to be heard. In most instances the questions seem to involve the amount of land and how it is classified, this is particularly true with the farm land. The question of re-imbursing the members of the Board of Assessment Review who are serving an unusual number of hours was discussed. Mr. Kirchhoff stated that he knows that the Town of Macedon regularly pays their Board members \$100 each year. Town Councilman Edwin Wheeler suggested that each member of the Board be paid \$100 but final decision on this was deferred until the Budget could be checked to find what monies would be available. The Assessor spoke of the Editorial in the Courier-Journal criticizing the Supervisors and Assessors in regard to the Re-Assessment. In light of the Editorial and lack of total support by the Town Board and the people present,

RESIGNA-  
TION OF  
ASSESSOR

The Assessor submitted his resignation as Assessor of the Town of Palmyra, effective June 30, 1977. Considerable discussion followed involving the Town Board, Town Attorney, Assessor and Steve Jackson, Editor of the Courier-Journal. A motion was made by Edwin Wheeler, seconded by Nelson Cook that the Town Board give the Assessor a vote of confidence and request him to withdraw his resignation and complete his term as appointed. Motion passed with 4 ayes and nonnos.

MOTION RE-  
QUESTING  
ASSESS. TO  
WITHDRAW RES.

A motion was made by Nelson Cook, seconded by David Lyon that the Supervisor contact the Assessor to set up a meeting with him and the Town Board the first of the week, prior to June 30th. Motion passed with 4 ayes and no nos.

MOTION TO  
SET MTG. W/  
ASSESS.

REQUEST FOR  
SPEC. AUTHOR  
J. MILLER  
PROP.

The next item of business was a request from Mario Morganti of Newark to use the building and property on Rt. #31 now owned by J. Miller of Newark, for the sale of new and used motor vehicles and related and unrelated sales and service. Mr. David SaMacino, attorney for Mr. Morganti, came before the Board to discuss this request. A point offered was whether a Special Authorization is necessary because a claim is being made that this could be considered a continuation of a non-conforming use. This request will be referred to the Planning Board for recommendation and Mr. SaMacino asked to be put on the agenda for the July 12th meeting of the Planning Board.



CEMETERIES Cemeteries - David Lyon reported that the ground cover is growing on the bank of Swift's Cemetery on Church Street.

LANDFILL Landfill - Mr. Rubery stated he does not as yet have the deed for the property being transferred from the County to the Town. He and Mr. Crowley have been discussing this transaction. The Contract for the operation of the Landfill and several other points concerning the Landfill were discussed.

COMM. FOR MEMORIAM FOR GLENN WIDEMAN Supervisor Aplin appointed a Committee of David Lyon, Nelson Cook and Edwin Wheeler to work on a Resolution as a Memoriam for Glenn Wideman to be acted on at the July 14th meeting.

A motion to pay the following bills was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos. MOTION TO PAY BILLS

GENERAL FUND	VOUCHERS # 203 - 232	\$ 8,141.64
PART TOWN FUND	" # 29 - 33	696.61
HIGHWAY ITEM I & IA	" # 27 - 34	6,271.88
HIGHWAY ITEM III	" # 108 - 112	26,325.52
HIGHWAY ITEM IV	" # 39	374.40
SOUTHWATER DISTRICT	" # 5	46.50
TOTAL		<u>\$41,857.00</u>

The motion to close this meeting was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos. MOTION TO CLOSE

Respectfully submitted,

Betty B. Stubbings  
Betty B. Stubbings, Town Clerk

July 14, 1977

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, July 14, 1977 in the Town Offices, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Nelson Cook and Edwin Wheeler, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine, and Town Clerk Betty Stubbings. Town Councilman David Lyon joined the meeting later. Interested persons or those having business to come before the Board were: Paul Burkhardt, Ralph & Florence Collier, Ann Tyler, Michael Grow, Attorney, R. Stuart Smith, Jr., Walter Eves, Attorney.

MOTION TO  
APPROVE  
MINUTES AS  
SUBMITTED

A motion was made by Nelson Cook, seconded by Edwin Wheeler that the reading of the minutes of the May 26th, June 9th and June 23rd meetings be dispensed with and the minutes be approved as submitted. Motion passed with 3 ayes and no nos.

COMMUNICA-  
TIONS

The following communications were read by the Clerk: (1) An Invitation from the Palmyra Fire Company to participate in the parade on Firemen's Night at the Wayne County Fair, Saturday, August 27th at 6:30 P.M. (2) A letter from the Department of Environmental Conservation in regard to amendments to the State Environmental Quality Review Act - a copy will be sent to the Planning Board (3) A letter of June 24, 1977 from Henry Nesbitt, Attorney for T. Costich requesting a copy of the minutes of the June 23rd meeting (4) A Thank You from the family of Glenn Wildeman for the Town's expression of sympathy (5) A letter from AVM Election System Division, Jamestown in regard to service of election machines under Product Warranty - a copy to go to William Deys and Finley Cox (6) A letter from Town Attorney Paul Rubery concerning Right of Way and Preferential rights in regard to Land Acquisition on Quaker Road (7) A letter from Town Attorney Paul Rubery concerning the filing with the Department of Audit & Control each July 1st in regard to Abandoned Property and Unclaimed Condemnation Awards.

COMMITTEE  
REPORTS  
ZONING

Zoning Officer Francis Toole reported on the following items: (1) A complaint from a neighbor concerning a swimming pool at Walter Pulcini's with no fence. Mr. Toole will talk with Mr. Pulcini (2) A complaint from Mrs. Bonnie Reynolds, Maple Avenue in regard to a Real Estate sign in violation of the Zoning Ordinance. Mr. Toole will check with the Real Estate agent. (3) The Board discussed a complaint received by Mr. Toole from a resident on Route 31 in regard to a "bug light" at Newark Tractor. This complaint will be checked by Mr. Toole. (4) Mr. Musshaven has not as yet complied with the Zoning Ordinance by removing unlicensed or junk vehicles (5) The complaint at Countryman's in East Palmyra concerning unlicensed vehicles - Mr. Toole reported that 1 car is loaded and ready to move (6) Mr. Footer of Maple Avenue is in the process of removing cars which are in violation of the Zoning Ordinance (7) Mr. Toole received a complaint in regard to signs advertising Motorcycles Races which were wired on Road signs and fastened to Telephone poles. Mr. DeBrine and Mr. Toole removed the signs. (8) The request of Mario Morganti, Newark, New York for Special Authorization to use James Miller's property on Route 31 was again discussed by the Board. A motion was made by Nelson Cook, seconded by Edwin Wheeler to post the Notice of Public Hearing for this Special Authorization for July 28th. Motion passed with 4 ayes and no nos.

MOTION TO  
POST NOTICE  
FOR HEARING

(9) At 8:00 P.M., Mr. Walter Eves, Attorney serving as counsel for the Town of Palmyra in regard to Max Albertson's request for Special Authorization to establish and operate an airport on Harris Road, came before the Board to discuss this application and to advise the Board. Following considerable discussion, a motion was made by Edwin Wheeler to grant Conditional Approval to Mr. Albertson's request, subject to a determination by the New York State Commissioner of Transportation that the proposed airport complies with applicable standards and conditioned upon the following:

MAX ALBERTSON'S REQUEST  
MOTION TO GRANT CONDITIONAL APPROVAL

- (1) Limited to use of applicant and not transferrable
- (2) Special Authorization will no longer apply if there is an abandonment of 18 months
- (3) No commercial signs, free standing or building mounted
- (4) 200 landings per month
- (5) No permanent hanging or tie-downs except for guests
- (6) No rentals
- (7) No repairs except to own aircraft
- (8) No services
- (9) No sale of accessories
- (10) Field to be of permanent turf
- (11) Instruction limited to applicant
- (12) No employees
- (13) The Board is limiting the duration of the use so that it may be reviewed after a period of 5 years or at such time there is a substantial increase in residential construction in the area which may be detrimentally affected by an airport.

Motion was seconded by Nelson Cook and passed with 3 ayes and 1 no - Roy Applin voting no.

The following Resolution was offered by Nelson Cook, seconded by Edwin Wheeler and passed with 3 ayes and 1 no - Roy Applin voting no:

RESOLUTION TO COMM. OF TRANS.

WHEREAS, the Town Board has had before it a special application request by Max Albertson to establish a private airport with the privilege of giving Flight Instruction; AND WHEREAS, the Board has approved such application conditioned upon a determination of the Commissioner of Transportation that the establishment of such privately owned airport complies with the Commissioner's standards established by Section 249 of the General Business Law, this Board therefore requests the Commissioner of Transportation to make a determination.

(10) The next item under Zoning to come before the Board was the request of Thomas Costich for Special Authorization to open and operate a gravel pit on Route 21 in the Town of Palmyra. A motion was made by Edwin Wheeler, seconded by Nelson Cook to grant Mr. Costich Conditional approval for the 9.9747 acre parcel described as follows - the east boundary is a line parallel to and a distance of 800 feet from the <sup>west</sup> bounds of New York State Route 21 (Palmyra Marion Road); the north boundary is a line parallel to and a distance of 259 feet south of the north boundary of lands conveyed to Costich by Deyo by deed recorded in the Wayne County Clerk's Office in Liber 698 of Deeds at Page 628; the south boundary is a line parallel to and a distance of 259 feet north of the south boundary of the premises so conveyed to Costich from Deyo; the west boundary is a line 1350 feet westerly and parallel to the south boundary of said New York State Route 21; comprising 9.97 acres of land subject to approval by the New York State Department of Environmental Conservation, Bureau of Minerals with the following conditions:

T. COSTICH REQUEST  
MOTION TO APPROVE W/ CONDITION

- (1) No sifting and crushing operation permitted
- (2) No hauling by trucks or movement of heavy equipment before 8:00 A.M. and after 6:00 P.M.
- (3) Dust to be kept to a minimum by Dust Control
- (4) The operation will comply with all Local, State and Federal Regulations for Environmental Conservation
- (5) For Highway Safety the driveway will be moved to the North as far as possible to come onto the Highway at the crest of the hill to create better visibility for all vehicles from all directions
- (6) No top soil to be removed from the premises
- (7) Reclaim the area excavated by November 1st of each year and within a 5 year period the area from the road frontage to the end of the property

COSTICH  
CONDITIONS  
CONT'D

- is to be leveled and re-seeded
- (8) No excavation shall be permitted below the water table
- (9) The Town Board grants Conditional Approval for the above stated parcel for a period of 1 year, commencing with final approval of all requirements of this application
- (10) The operation will be screened from view of the road by proper tree plantings
- (11) Upon completion of permit, plans and any and all information submitted to the New York State in order to comply with the New York State Mined Land Reclamation Law of 2/19/74, a copy of all plans, etc. shall be filed with the Town Clerk
- (12) If the applicant violates the conditions set forth by the Planning Board and any and all conditions that the Town Board proposes, the Conditional one year approval shall be terminated
- (13) All provisions of Section 7.9 of the Zoning Ordinance of the Town of Palmyra shall be enforced

Motion passed with 3 ayes and no no - Roy Aplin voting no.

RECOMMENDATION The Clerk read a letter from the Palmyra Republican Committee recommending the appointment of Bruce Wideman to fill the vacancy existing on the Town Board due to the recent death of Town Councilman Glenn Wideman. No action was taken at this time in regard to appointing a replacement for Mr. Wideman.

FROM PAL. REP. COMM. APPT. FOR COUNCILMAN

Assessor Robert Kirchhoff had made recommendation that the Town Board consider payment to the members of the Board of Assessment Review for the number of hours worked above and beyond the usual number of hours required on Grievance Day and the Assessor submitted vouchers for approval by the Board. A motion was made by Edwin Wheeler, seconded by Nelson Cook that the Town of Palmyra pay each member of the Board of Assessment Review \$200 for services rendered. Motion passed with 4 ayes and no nos.

MOTION TO PAY THE BD. OF ASSESS. REVIEW

RESOLUTION: TRANSFER OF FUNDS ASSESS. ACCT.

The following Resolution for Transfer of Funds was offered by David Lyon, seconded by Edwin Wheeler and passed with 4 ayes and no nos:

WHEREAS, the Assessor's Account A 1355.4 has insufficient funds to pay the Board of Assessment Review, NOW THEREFORE BE IT RESOLVED, that funds in the amount of \$1,000 be transferred from the Contingency Account A1990.4 to the Assessor's Account A 1355.4

Water - Nelson Cook, Chairman of the Water Committee, reported that he has met with Town Engineer Tony Malone in regard to the request of residents in the East Palmyra area for water. Mr. Cook is reviewing previous studies concerning water supply.

Highway - The Town Crew has had 1 week's vacation and are now working on Lusk Road - a part of the Road Improvement Plan.

PETITION RE: SPEED LIMIT MACEDON CTR. ROAD Supervisor Aplin has received a Petition from residents of Marquart Mobile Manor requesting a Reduced Speed Limit on Macedon Center Road which he presented to the Board for consideration. The following Resolution was offered by

RESOLUTION RE: SPEED LIMIT

Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos:

WHEREAS, a petition has been received to establish a Speed Limit of 30 miles per hour on Macedon Center Road in the Town of Palmyra, County of Wayne, State of New York, AND WHEREAS, the Town Board deems it necessary to request a Speed Limit not to exceed 30 miles per hour on said highway, NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra requests that the New York State Department of Transportation and the Wayne County Traffic Safety Board establish a Speed Limit on Macedon Center Road not to exceed 30 miles per hour.

APPROVAL OF BRUSH SITE

Landfill - Supervisor Aplin reported that the Town has received approval from the Department of Environmental Conservation for the Brush site at the Landfill, located on the North side of Garnsey Road.

RESOLUTION MEMORIAM TO GLENN WIDEMAN

The following Resolution of the Town Board of the Town of Palmyra in Memoriam to Glenn Wideman was read by Town Councilman David Lyon:

WHEREAS, this Board and the Town of Palmyra lost a dedicated and conscientious official by reason of the death of Glenn Wideman, Although a member of the Town Board for only a few years his faithfulness, enthusiasm and concern for the community was widely recognized. We, as members of this Board will miss his valued judgement and thoughtful presentations.



RESOLVED, as an expression of our sympathy, the clerk be instructed to present a copy of this resolution to his wife and family and a copy recorded in the minutes of this meeting.

RESOLUTION  
CONT'D

The motion to pay the following bills was made by Edwin Wheeler, seconded by Nelson Cook and was carried with a vote of 4 ayes and no nos:

MOTION TO  
PAY BILLS

GENERAL FUND	VOUCHERS #	233 - 254	6,517.66
PART TOWN FUND	"	34 & 39	306.27
HIGHWAY ITEM I & IA	"	35 - 41	6,569.47
HIGHWAY ITEM III	"	113 - 127	2,058.55
HIGHWAY ITEM IV	"	40 - 43	426.48
NORTH WATER DISTRICT	"	11 - 13	71.54
SOUTH WATER DISTRICT	"	6 - 8	39.73
FEDERAL REVENUE SHARING	"	3	21,000.00
TOTAL			\$36,989.70

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

MOTION TO  
CLOSE

Respectfully submitted,

Betty B. Stubbings  
Betty B. Stubbings, Town Clerk

July 28, 1977

PUBLIC HEARING APPLICATION OF MARIO MORGANTI The Public Hearing scheduled for 7:30 P.M., Thursday, July 28, 1977 in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of hearing the application of Mario Morganti, Newark, New York for Special Authorization to use an existing building on Route 31 in the Town of Palmyra to operate a place of business for the sale of new and used motor vehicles and other related and unrelated retail sales and service was opened by Supervisor Aplin at 7:45 P.M.. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Nelson Cook, Edwin Wheeler and David Lyon, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were: David Saracino, Attorney, Mario Morganti, James Miller, Jackie Stauring, Max Albertson, Robert Gunkler, and Adrian Fortuna. The Proof of Publication was read by the Clerk. David Saracino, Attorney for Mr. Morganti, spoke to the Board in reference to this application and presented maps and plans to explain the area to be considered. Areas designated for display of cars, customer parking, proposed show room were pointed out and discussed. Other points discussed were access to the property, amount of space for repair and servicing, space for the unrelated sales (sporting equipment), franchises other than for new cars, amount of gasoling sales and advertising signs. The Board questioned both Mr. Morganti and Mr. Saracino on all of the above points. The recommendations of the Planning Board were read by the Clerk and the Supervisor closed this hearing at 8:35 P.M..

MEETING OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 8:40 P.M. by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag.

APP'T OF J. LYNN AS DEPUTY SUPERVISOR

The first item of business was the appointment by Supervisor Aplin of John Lynn as Deputy Supervisor of the Town of Palmyra. The Clerk will contact Mr. Lynn concerning the Oath of Office and the signing of the Banking Resolution and signature cards.

REQUEST OF J. STAURING FOR FLORIST SHOP

The Town Board had received a letter from Jackie Stauring, Cole Road and a request to appear before the Board to discuss the procedures necessary to open a Florist Shop on Cole Road in an existing garage. The Clerk read the letter from Miss Stauring, her request was discussed and referred to the Planning Board for recommendations and a public hearing will be posted for the August 25th meeting.

M. ALBERTSON CONDITIONS ON SPECL. AUTHOR. DISC

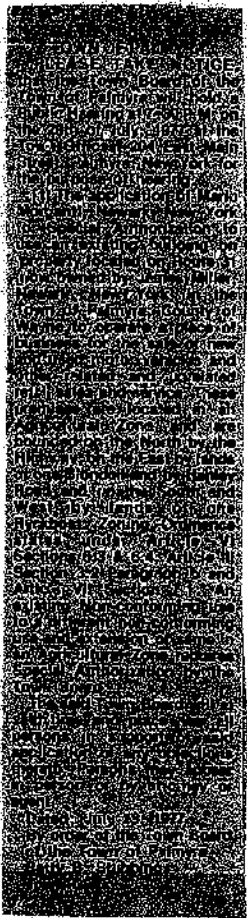
Max Albertson had requested time to speak to the Board concerning the conditions imposed by the Board on his Special Authorization and at this time, Mr. Albertson appeared and discussed with the Board those conditions which he felt were unreasonable and therefore, unacceptable. The Board assured Mr. Albertson that they would be willing to go over the conditions.

REQUEST OF R. GUNKLER FOR CUSTOM MEAT CUTTING SHOP

Mr. Robert Gunkler, Hammond Road, had requested time to speak to the Board in regard to a custom meat cutting shop which he would like to include in plans for a new house. He advised the Board that this would be a part time operation, he would have no employees and he would have to comply with the Department of Agriculture's regulations for custom meat cutting and the New York State Department of Health's Sanitation regulations. Mr. Gunkler asked the Board to determine if his request could be considered a home occupation or if he would have to apply for a variance from the Planning Board of Appeals. Following considerable discussion and checking the requirements for a Home occupation under the Zoning Ordinance, a motion was made by David Lyon, seconded by Edwin Wheeler to declare this proposed custom meat cutting shop a Home occupation. Motion was carried with 4 ayes and no nos.

**AFFIDAVIT OF PUBLICATION**

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



...Geraldine A. Allen 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 22, 1977 .....

.....

.....

.....

.....  
*Garrison P. Allen*  
Foreman of the Publisher

Subscribed and sworn to before me

this 35 day of July, 1977

.....  
*Michael J. [Signature]*  
Notary Public

Fee: \$ 16.53 .....

At this time, Adrian Fortuna, a resident of Stafford Road, Town of Palmyra, came before the Board to present a Petition signed by residents of Stafford Road requesting the Town of Palmyra to establish a Speed Zone with a Speed Limit of 35 miles per hour on Stafford Road from West Foster Street to the Ontario County Line. The following Resolution was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos: WHEREAS, a petition has been received to establish a Speed Limit of 35 miles per hour on Stafford Road from West Foster Street to the Ontario County Line in the Town of Palmyra, County of Wayne, State of New York, AND WHEREAS, the Town Board deems it necessary to request a Speed Limit not to exceed 35 miles per hour on said highway, NOW THEREFORE BE IT RESOLVED, on the motion made by Edwin Wheeler, seconded by Nelson Cook that the Town Board of the Town of Palmyra requests that the New York State Department of Transportation and the Wayne County Traffic Safety Board establish a Speed Limit on Stafford Road not to exceed 35 miles per hour.

PETITION  
RE: SPEED  
LIMIT ON  
STAFFORD  
ROAD

Committee reports:

COMMITTEE  
REPORTS

Zoning - Zoning Officer Francis Toole reported on the following items: (1) Mr. Musshaven and Mr. Jaeger will be issued Warrants of arrest by Judge White (2) Walter Pulcini has not as yet fenced in the swimming pool on his property (3) The Real Estate sign on Maple Avenue has been removed (4) Mr. Toole will check signs on Route 21 advertising Nicols Campsite (5) Complaint concerning bug light at Newark Tractor (6) Mr. Countryman, Gary Robbins, Mr. Footer are still in violation in regard to unlicensed cars. (7) Town Attorney Paul Rubery reported on correspondence with New York Central and Webaco in regard to Land Acquisition on Quaker Road. He requested permission from the Board to write Webaco concerning their proposed use of the land in question. (8) Mr. Rubery also reported on the letters he sent out concerning unlawful dumping on Jagger Road. (9) A request has been received by the Zoning Officer to place a trailer temporarily on the property of Maurice White, Shilling Road. The Town Attorney will write a letter to Mr. White.

ZONING

Highway - Town Highway Superintendent James DeBrine came before the Board with a request for permission to advertise for bids for a Material Spreader a budgeted item. A motion was made by David Lyon, seconded by Edwin Wheeler to authorize the advertising of bids for September 8th. Motion passed with 4 ayes and no nos. Mr. DeBrine asked the Board to give some thought to what they want done concerning road work for 1978. There is a lot of road ~~improvement~~ ~~work~~ maintenance to do and South Creek Road is next on the Road Improvement Program if they wish to continue on that. It was decided that the Committee will study this situation and report back at the next meeting. Mr. DeBrine also reported that the work on Lusk Road is progressing - the road at this point is half-graveled. The completion of the concrete floor in the new Highway Building was discussed.

HIGHWAY

MOTION TO  
ADV. FOR  
BIDS -  
SPREADER

Communications - The Clerk reported to the Board that letters have been received from the Department of Transportation in regard to the 2 requests for reduced Speed Limits - Bear Hill Drive & Rolfe Street and Macedon Center Road. The Financial Report from the Palmyra Emergency Volunteer Ambulance Service was presented to the Board for review. A letter from the Village of Palmyra in regard to the Water Contract was read by the Clerk. Supervisor Aplin requested Councilman Edwin Wheeler to work with Nelson Cook on the Water Contract. Mr. Cook, Chairman of the Water Committee, will talk with the Village of Palmyra concerning the Water Contract and he will also contact the Town Engineer.

COMMUNICATION



PROP. LOCAL LAW RE: GARAGE SALES

A letter from Town Attorney Paul Rubery in regard to a Proposed Local Law on Garage Sales was discussed. Copies of the Proposed Local Law will be sent to Board members for study.

EXPIR. OF FIRE CONTRACTS

The Clerk reported to the Board that the Fire Contracts with East Palmyra and Port Gibson expire this year. The Town Attorney advised the Clerk to send letters of notification of the expiration of the contracts to each of these Fire Departments.

MOTION TO APPROVE APPT OF M. REITHEL

The Town Clerk requested the Board's approval on an appointment of Margaret Reithel as a Deputy Clerk for Conservation Licenses and Dog Licenses only. A motion made by Edwin Wheeler, seconded by David Lyon approved this appointment. Motion was carried with 4 ayes and no nos.

Joint Recreation Commission - Chairman Nelson Cook will check with Village Trustee Mary Lou Wilson in regard to the lease the Village has with the Fair Association for the land where the new Palmyra Community Center will be built.

Town Attorney Paul Rubery reported to the Town Board on the Lease the Town has with Anson Johnson, Jr. for the office.

MOTION TO APPROVE APPLIC. OF M. MORGANTI

At this time, the Board turned their attention to the application of Mario Morganti for Special Authorization, the Public Hearing was held earlier this evening. What conditions should be imposed were discussed at length. A motion to approve Mr. Morganti's application with the following conditions after a corrected map has been presented, was made by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes and no nos;

- (1) Automotive sales will be limited to new and used cars and trucks and automotive accessories incidental thereto.
- (2) No franchises for motor cycles, boats or Recreation vehicles
- (3) No gasoline sales on premises
- (4) Any display and sale of sporting goods will be inside the building
- (5) Repairs areas confined to inside the building
- (6) Storage other than automotive will be limited to confines of the building
- (7) The applicant will be allowed to place a temporary sign on the premises but will within 6 months make application to the Zoning Board of Appeals for a sign variance
- (8) The applicant will conform with all regulations of the Zoning Ordinance of the Town of Palmyra.

The appointment to fill the vacancy on the Town Board was tabled until the next meeting.

Max Albertson's Special Authorization and the conditions imposed were discussed. David Lyon will check with Walter Eves, Attorney and counsel for the Town of Palmyra for Mr. Albertson's request.

MOTION TO PAY BILLS

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

GENERAL FUND	VOUCHERS # 255 - 268	3,322.18
PART TOWN FUND	" # 40 - 41	10,009.98
HIGHWAY ITEM I & IA	" # 42 - 46	9,195.79
HIGHWAY ITEM III	" # 128-135	674.54
HIGHWAY ITEM IV	" # 44 - 45	931.50
TOTAL		<u>\$24,133.99</u>

MOTION TO CLOSE

The motion to close this meeting was made by Nelson Cook, seconded by Edwin Wheeler and was carried with 4 ayes and no nos.

Respectfully submitted,

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

August 11, 1977

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. on Thursday, August 11, 1977 in the Town Offices, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Nelson Cook and David Lyon, Town Highway Superintendent James DeBrine, Zoning Officer Francis Toole, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were: Paul Burkhardt, Ann Tyler, Phyllis Dickinson, George and Helen Contant, Steve Jackson and Stuart Smith.

MEETING  
OPENED

The following communications were read by the Clerk: (1) a letter from the Wayne County Sheriff's Office stating that the Speed Limit on Stafford Road will be strictly enforced (2) a letter from the New York State Department of Transportation in regard to the request for a lower Speed Limit on Bear Hill Drive and Rolfe Street advising that an area Speed Limit would best suit the situation and if the Town agrees to the establishment of a 30 MPH area Speed Limit, an attached TE 10 Form is to be completed and returned. Following discussion between Board members and Mr. DeBrine, a motion was made by Nelson Cook, seconded by David Lyon to agree to the establishment of a 30 MPH Speed Limit on Bear Hill Drive and Rolfe Street. Motion passed with 3 ayes and no nos. (3) a letter from Ronald Rudio, New York State Department of Health concerning Public Water Supply.

COMMUNICATION

MOTION TO  
SET SPEED  
LIMIT ON  
BR. HILL DR. &  
ROLFE ST.

Committee reports -

COMMITTEE  
REPORTS

Zoning - Zoning Officer Francis Toole reported on the following items: (1) a Building Permit for Floyd Watson, Division Street to build a workshop for assembling a helicopter was discussed (2) Mr. Musshaven has not complied and a warrant has been issued (3) Mr. Footer, Maple Avenue is still in violation in regard to unlicensed cars (4) the advertising signs on Route 21 in violation of the Zoning Ordinance have been removed (5) Mr. Yaeger - Collision Shop on Route 31 East has been granted a conditional discharge by the Court (6) Town Councilman David Lyon reported that he had talked with Walter Eves, Attorney, who was counsel for the Town of Palmyra in the matter of Max Albertson's application for Special Authorization to operate an airport with limited flight instruction and limited maintenance. He and Mr. Eves went over the conditions which Mr. Albertson found unacceptable and decided to add some phrases to the original conditions. The following Resolution was offered by David Lyon, seconded by Nelson Cook and passed with 2 ayes and 1 no - Roy Aplin voting no: WHEREAS, there was some clarity needed in view of existing conditions in the conditions imposed on Max Albertson's application for an airport, AND WHEREAS, the Town Board, after reviewing the facts and original conditions, entertains the following Resolution: BE IT RESOLVED, that the conditions imposed on the application of Max Albertson be amended to read as follows: #1 - Limited to use of applicant and not transferable without an application and approval of the Town Board, #2,3,4 to remain the same, #5 - No permanent hangering or tie-downs except for applicant's and guests' planes, # 6 - 10 to remain the same, #11 - Instruction limited to or for applicant and immediate family, #12 - No employees for the purpose of repairing aircraft, #13 to remain the same. Following the vote on the above Resolution, the Supervisor declared the Resolution lost but after some discussion, it was decided to let the Town Attorney check on correct procedures to determine if the 2/3 vote is acceptable.

ZONING

MAX ALBERTSON'S APPLI

RESOLUTIC  
AMEND.  
CONDITIONS

*See  
Aug 9th  
minutes  
Read  
again  
offered &  
passed*

HIGHWAYPROBLEM AT  
DAVIS RES.  
LEROY RD.

Highway - Town Highway Superintendent James DeBrine brought to the Board's attention a problem which exists at Glenn Davis' residence on LeRoy Road. Mr. Davis wants to move his driveway because of momentary blind spot and Mr. DeBrine advised the Board of the possible bad effects this move would create because of water (drainage) problems. This problem was discussed at length and the Board suggested that Mr. DeBrine talk with Mr. Davis and offer some suggestions to alleviate the problem. Highway projects were also discussed - Re-surfacing (surface treatment) of some Town roads instead of major road improvement in 1978 was considered. Mr. DeBrine and Mr. Lyon will study this possibility and report back at the August 25th meeting.

HWY. PROJECT  
FOR 1978WATER

Water - Chairman Nelson Cook is planning to meet with Daniel Congdon, Village Trustee and Chairman of the Village Water Committee in regard to the Water Contract between the Village and the Town and the Village being able to supply water for the Proposed Water District - Route 31 East. Mr. Cook reported that Tony Malone, Town Engineer, is still checking possibilities for a water supply on the North side of the Canal, specifically the East Palmyra - Port Gibson Road area. The Board discussed the possibility of a water supply from adjoining Towns or other Towns in the County.

JT. REC.  
COMM.

Joint Recreation Commission - Nelson Cook reported that he had attended the Community Center Board meeting held Wednesday, August 10th at which time the Specifications, bids and applications were put together and it was agreed to proceed with the new Palmyra Community Center. Bids will be posted in the immediate future and will be opened around September 1st. Mr. Cook also reported that he had contacted the Lehman brothers in regard to their selling or leasing to the Town the property at the corner of West Foster Street and Stafford Street for Community Center use. He will check back with the Lehmans for their decision.

ANTI-REC.  
FUNDS

A question was raised concerning the cut-off date for the use of the Anti-Recession Funds. Supervisor Aplin will check on this and have the information at the next meeting.

ASSESSMENTASSESS.  
APP'T

Assessment - There being no Chairman of the Assessment Committee, at this time, the Supervisor brought to the Board's attention that the Assessor's appointment ends September 30, 1977. Discussion followed with the Town Attorney reporting that some Town and Village residents have not received answers from the Board of Assessment Review in regard to their grievance. Supervisor Aplin will check with Albert Rycost, Chairman of the Board of Assessment Review concerning this matter. The Town Board decided to meet with the Village of Palmyra to consider the possibility of 1 full time Assessor for the Town and Village. The Village Board will have a meeting Monday, August 15th and representatives from the Town will hope to meet with them in order to have some information by the next Town Board meeting. The Town received a court order from the New York Telephone Company making a complaint concerning the assessment of their property in the Town of Palmyra. This was referred to the Town Attorney who was authorized by the Board to contact the Board of Assessment Review, Calspana and the Real Property Tax Service for the information he will need.

COURT ORDER  
N.Y. TEL. CO.  
RE: ASSESS.UNEMPLOY.  
INSUR. LAW

Supervisor Aplin requested the Town Attorney to check into the requirements of the new Unemployment Insurance Law to see if the Town of Palmyra could set up a program locally which would be beneficial to the Town.

PROP. LOCAL  
LAW - GAMES  
OF CHANCE

Councilman David Lyon received a request from the VFW Post in regard to a Local Law to legalize gambling for non-profit organizations. The request was discussed and the Town Attorney will draft a Proposed Local Law to legalize Games of Chance.



CERTIFIED COPY OF CORPORATE BANKING RESOLUTIONS

TOWN OF PALMYRA

(Name of corporation)

204 East Main Street, Palmyra, New York 14522

(Corporation address)

I hereby CERTIFY that the following is a true copy of resolutions duly adopted by the TOWN BOARD OF THE TOWN OF PALMYRA, a corporation organized under the laws of the State of NEW YORK, at a meeting held on AUGUST 27 11, 1977; that a quorum was present and acted throughout such meeting; that such resolutions have not been rescinded or modified and are still in full force and effect; that the Certificate of Incorporation of said corporation, and all amendments thereto, do not contain any provisions requiring any vote or consent of the shareholders of said corporation to authorize any mortgage or pledge of or creation of a security interest in all or any part of said corporation's property, or any interest therein, or to authorize any other action taken or to be taken pursuant to said resolutions; and that neither the said resolutions nor any action taken or to be taken pursuant thereto are or will be in contravention of any provision or provisions of the Certificate of Incorporation or the By-laws of said corporation.

RESOLVED:

- 1. That Marine Midland Bank—Rochester (herein called the "Bank") at such office or offices as may be designated by the President or Treasurer of this corporation be and hereby is designated a depository of this corporation and authorized to receive for deposit, at any such office or offices, to the credit of this corporation, or for collection for the account of this corporation, monies, checks, drafts, notes or other instruments for the payment of money, whether belonging to this corporation or otherwise, which may now be or hereafter come into its possession, (all of which shall be deemed, when received for deposit, to have been unequivocally indorsed by this corporation whether or not actually so indorsed).
2. That SUPERVISOR, DEPUTY SUPERVISOR, TOWN CLERK ( any two may sign )
3. That any check herein authorized to be drawn in the name of this corporation may be signed with the facsimile signature or signatures of any of the duly designated signatories of this corporation and the Bank shall be entitled to charge any such check to this corporation's account regardless of by whom or by what means the actual or purported facsimile signature or signatures thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimens duly certified to or filed with the Bank by the Secretary or any Assistant Secretary of this corporation.
4. That SUPERVISOR, DEPUTY SUPERVISOR, TOWN CLERK ( any two may sign )
5. That the Secretary or any Assistant Secretary of this corporation be and hereby is authorized and directed to certify to the Bank the names of all officers of this corporation and other persons authorized to sign for it as herein provided and the offices respectively held by them, if any, together with specimens of their signatures, whether facsimile or otherwise, and from time to time thereafter to certify such changes as may be made; and the Bank shall be fully protected in relying on any such certification and shall be indemnified and held harmless from any loss, cost, damage or expense resulting from, or arising out of, the honoring of any signatures so certified or the refusal to honor any signature not so certified.
6. That all transactions heretofore had on behalf of this corporation with the Bank be and hereby are ratified, confirmed and approved and the Bank is hereby authorized to rely upon this resolution and the certificate of the secretary or assistant secretary of this corporation that the Certificate of Incorporation of this corporation and all amendments thereto do not contain any provisions requiring any vote or consent of the shareholders of this corporation to authorize any mortgage or pledge of or creation of a security interest in all or any part of this corporation's property, or any interest therein, until written notice of the revocation of these resolutions or of the amendment of the Certificate of Incorporation has been received by the person in charge of any office at which an account of this corporation may be maintained.

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

Table with 3 columns: NAME, TITLE OF OFFICER, SIGNATURE. Rows include LEROY R. APLIN (SUPERVISOR), JOHN D. LYNN (DEPUTY SUPERVISOR), and BETTY B. STUBBINGS (TOWN CLERK).

Witness my hand and the seal of the corporation this 1st day of September 19 77

Signature of Betty B. Stubbings, Secretary

(SEAL)



**Certified Copy of Corporate  
Banking Resolutions**

TO

Dated

**INSTRUCTIONS**

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

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

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

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

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

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

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

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

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

The Proposed Local Law for Garage Sales was discussed. Several points still have to be decided; such as, type of application, amount of fee, number per year, sales tax, type of control and number of days a sale can run. This Proposed Local Law will be given more thought and study before deciding to post the Public Hearing.

PROPOSED LOCAL LAW CONC. GARAGE SALES

At this time, George Contant posed some questions in regard to the new numbering system in the Town of Palmyra. He was interested in knowing the cost of this numbering system and where the funds came from to pay for this project. Supervisor Aplin replied that the funds were taken from the Zoning Account - Part Town Fund. Mr. Contant also made a statement in regard to the possibility of a County Board of Assessors rather than local Boards or single assessors in each Village and Town. General discussion was held on assessments and assessors and possible solutions.

Town Councilman Edwin Wheeler joined the meeting at 9:45 P.M..

At this time, Town Councilman Nelson Cook offered the motion to appoint David Lyon as Deputy Supervisor of the Town of Palmyra. The motion was seconded by Edwin Wheeler. Under discussion, the Supervisor read portions of Section 42 of the Town Law covering the appointment of a Deputy Supervisor. Parts of Section 42 were also read by Councilman Lyon stating that if a Supervisor does not appoint within 5 days after a vacancy occurs, the Town Board has the power to appoint the Deputy Supervisor. Mr Lyon stated that he had contacted the Legal Division of the Department of Audit & Control in regard to a ruling on Mr. Aplin's appointment of John Lynn on July 29th and had been advised that Mr. Aplin's appointment was declared illegal by the Department of Audit & Control. The Supervisor will check with the Town Attorney concerning the legality of the Board's actions. Supervisor Aplin moved to table the motion until the next regular Town Board meeting and David Lyon seconded the motion. David Lyon and Edwin Wheeler voted aye and Nelson Cook and Roy Aplin voted no - therefore, the motion was lost. The Board returned to the original motion to appoint David Lyon as Deputy Supervisor and the vote was - Edwin Wheeler, Nelson Cook and David Lyon voting aye and Roy Aplin voting no. Motion was carried.

MOTION TO APPT. D. LYON AS DEP. SUPER

MOTION TO TABLE

MOTION LOST

ORIG. MOTION CARRIED

The next item of business was the motion by Nelson Cook to appoint Bruce Wideman as Town Councilman to fill the vacancy on the Town Board. The motion was seconded by David Lyon and passed with 3 ayes and 1 no - Roy Aplin voting no.

MOTION TO APPT. BRUCE WIDEMAN AS TN. COUNCILMAN

A motion to approve the signatures of the Supervisor, Deputy Supervisor and Town Clerk as official signatures for signing checks for the Town of Palmyra was made by Nelson Cook, seconded by Edwin Wheeler and passed with 4 ayes and no nos.

MOTION TO APPROVE SIGNATURES

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

MOTION TO PAY BILLS

GENERAL FUND	VOUCHERS # 269 - 278	\$4076.93
PART TOWN FUND	" # 42 - 43	208.36
HIGHWAY ITEM I & IA	" # 47 - 50	3456.07
HIGHWAY ITEM III	" # 136 - 144	3157.33
HIGHWAY ITEM IV	" # 46	797.94
NORTH WATER DISTRICT	" # 14 - 19	4032.72
SOUTH WATER DISTRICT	" # 9	1808.90
TOTAL		<u>\$17538.25</u>

The Supervisor Appointed David L. and Edwin Wheeler as a committee to attend the Village Board meeting to present the Town Board's thoughts on the appointment of an Assessor.

COMM. FOR ASSESS. APPT.

DISC. RE:  
CHANGE IN  
MTG. NIGHT

A brief discussion was held on the possibility of changing the night of the Town Board meeting to Monday but it was decided to keep meeting nights as they are and consider the change at the time of the Organizational meeting.

MOTION TO  
ADJOURN

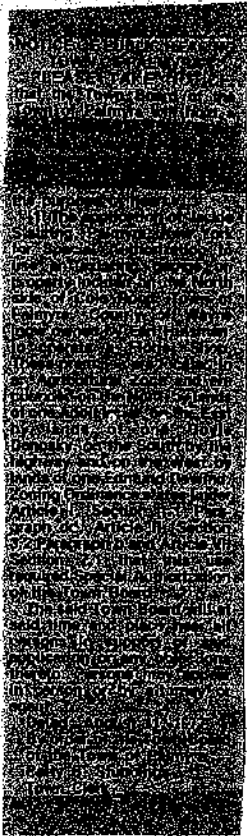
The motion to adjourn this meeting was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos.

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

**AFFIDAVIT OF PUBLICATION**

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



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

..... August 12, 1977 .....

.....

.....

.....  
*Elizabeth M. Main*  
Foreman of the Publisher

Subscribed and sworn to before me

this 15 day of Aug 1977

.....  
*Michael M. Donovan*  
Notary Public

Fee: \$ 14.53

NOTARIAL PUBLIC  
WAYNE COUNTY, N.Y.  
1977



August 25, 1977

The Public Hearing scheduled for 7:30 P.M. on Thursday, August 25, 1977 in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of hearing the application of Jackie Stauring, Cole, Road, in the Town of Palmyra for Special Authorization to open and operate a Florist Shop was opened at 7:45 P.M. by Supervisor Aplin. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Nelson Cook, David Lyon, Edwin Wheeler and Bruce Wideman, Zoning Officer Francis Toole, Town Attorney Paul Rubery, Town Highway Superintendent James DeBrine and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Board were: Jackie Stauring, Ann Purchase, Stuart Smith, Ann Tyler, Paul Burkhardt, Ed DeWind, Herman Lunser, Irving DeCook and Lloyd Green. The Proof of Publication was read by the Clerk. Miss Stauring spoke in her own behalf concerning this Proposed Florist Shop. The Board members questioned Miss Stauring in regard to source of supplies, remodeling of building to be used and amount of space for parking. Mr. Ed DeWind questioned safety if there is to be any amount of traffic. The Clerk read the following recommendations of the Town of Palmyra Planning Board concerning the Stauring request - "We recommend that approval be granted with the stipulation that parking be provided for 4 cars and driveway to allow cars to turn around and head out to road". The hearing was closed at 8:00 P.M. by Supervisor Aplin.

PUBLIC HEARING  
RE: STAURING REQUEST  
FLORIST SHOP

PL. BD. RECOMMENDATION

HRG. CLOSED

Directly following the Public Hearing, the regular meeting of the Town Board of the Town of Palmyra was opened by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag.

REG. MTG. OPENED

A motion to dispense with the reading of and to approve the minutes of the July 14th meeting as submitted was made by David Lyon, seconded by Nelson Cook and passed with 4 ayes and no nos. ( Mr. Wideman did not vote as he was not a member of the Town Board until August).

MOTION TO APPROVE MINUTES

A motion to dispense with the reading of and approve as submitted, the minutes of the July 28th meeting with an objection to the appointment of the Deputy Supervisor was made by David Lyon, seconded by Edwin Wheeler and passed with 3 ayes and 1 no - Roy Aplin voting no.

MOTION TO APPROVE MINUTES

The following communications were read by the Clerk - (1) A letter from Town Attorney Paul Rubery in regard to the Proposed Local Law concerning Electrical Inspection (2) A letter from Mr. Rubery concerning Proposed Local Law - Games of Chance (3) A letter from the Real Property Tax Office, Don Johnson, Director, concerning Assessments, Assessment Status, Term of Office, Board of Assessment Review and Revaluation. (4) A letter from the New York State Department of Transportation in regard to the Speed Limit on Stafford Road (5) A letter from the New York State Department of Transportation concerning the Speed Limit on Rolfe Street and Bear Hill Drive (6) A letter from Vogt & Hensel, Attorneys, concerning a suit by Pamela Morrison against the Town of Palmyra, Town of Macedon and the Palmyra-Macedon Central School. The Town Attorney spoke to the Board concerning this law suit, gave them the background and advised the Board that there is no relation in this case between the accident and the Town of Palmyra.

COMMUNICATIONS

Zoning - Before Zoning Officer Francis Toole gave his report on Zoning Violations, Supervisor Aplin appointed Town Councilman Bruce Wideman as Chairman of the Assessment and Zoning Committees. Mr. Toole reported on the following violations - (1) Mr. Musshaven has removed the truck and the cats will be removed. A Warrant was issued for a Court appearance on August 29th (2) Mr. Footer, Maple Ave. still has 2 unlicensed cars - Mr. Toole will talk with him.

APP'T OF B. WIDEMAN CH. OF ZON. & ASSESS. ZONING

(3) Mr. Jaeger - Collision Shop on Route 31 has complied.

REPRESENTATIVES At 8:30 P.M., Herman Lunser and Irving DeCook, representing the Port  
FROM PT. GIBSON Gibson Fire Department came before the Board to discuss a new contract for Fire  
SON FIRE Protection between the Town of Palmyra and the Port Gibson Fire Department.  
DEPT. They request an increase in funds and a change in boundaries. A Committee will  
be appointed by the Supervisor to work with the Fire Departments on contracts  
which will expire the end of 1977.

DISCUSSION: Town Highway Superintendent James DeBrine came before the Board at this  
FATAL ACCI- time with Highway items. An accident involving a fatality on August 24th at  
DENT AT PAL- the intersection of Palmer Road and Hogback Hill Road in the Town of Palmyra  
MER & HOGBACK was discussed at length. Mr. DeBrine reported the background on this inter-  
HILL ROAD section in regard to signing. It was also reported by Mr. DeBrine that 2 weeks  
prior to this accident the intersection was checked by the State and was de-  
clared as being signed and posted legally. The Wayne County Sheriff's Depart-  
ment is recommending stronger action. At present there are Yield and Yield  
Ahead signs on Palmer Road and the Sheriff's Department recommends that Stop  
signs be installed. Board action is required if Stop signs are to be installed.

MOTION TO As a result of this discussion, a motion was offered by Edwin Wheeler that the  
INSTALL STOP Town Board take the recommendation of a 3rd party, the Wayne County Sheriff's  
SIGNS ON Department, that the Yield signs at Palmer Road and Hogback Hill Road be re-  
PALMER RD. & placed by 4-way Stop signs and that the Town Board empower the Town Highway  
HOGBACK HILL Superintendent to purchase and install Stop and Stop Ahead signs, minimum of  
36". Motion was seconded by Bruce Wideman and passed with 4 ayes and 1 no -  
David Lyon voting no. It was requested that approval of the New York State  
Department of Transportation and recommendations from the Sheriff's Depart-  
ment be in writing.

DAVIS DRIVE- Mr. DeBrine reported that he had talked with Mrs. Davis in regard to the  
WAY PROBLEM driveway problem on LeRoy Road and had advised her of the possibilities of drain-  
age problems if they proceeded to change the driveway and out down some of the  
hill. Neither Mr. DeBrine nor the Town Attorney have received any further in-  
quiries or information from Mrs. Davis.

PROPOSED The Town Board returned to Zoning and briefly discussed the Local Laws  
LOCAL LAWS being presented to the Board for action - Garage Sales, Games of Chance and  
Electrical Inspection. These Proposed Local Laws were turned over to Town Coun-  
cilman Bruce Wideman for study. He will report back at the next meeting and  
they will be discussed at that time.

MOTION TO The Board returned to the application of Jackie Stauring for Special  
APPROVE Authorization to open a Florist Shop on Cole Road - the Public Hearing was held  
STAIRING earlier in the meeting. The Board discussed this application and conditions  
APPLICATION if any to be imposed. A motion was made by Nelson Cook, seconded by David Lyon  
to approve Miss Stauring's application with the following conditions:

- (1) Parking space will be provided for 4 cars and enough space will be provided for a turn-around in order for cars to head out of the driveway onto the road
- (2) There will be no parking on the road
- (3) The building should be substantial and of good appearance
- (4) The applicant will comply with the Zoning Ordinance in regard to signs
- (5) The applicant will comply with any applicable Local, State, or Federal Laws, Rules and Regulations

Motion passed with 4 ayes and Edwin Wheeler abstained.

LEGALITY At the August 11th meeting a question was raised in regard to the legal-  
OF VOTE RE: ity of the vote on a Zoning Resolution - Max Albertson's Special Authorization.  
ZON. RESOL. The Clerk read a letter from the Town Attorney advising that an affirmative vote  
of 3 of a Town Board of 5 is required. The Town Law Section 63 states that every

act, motion or Resolution shall require for its' adoption, the affirmative vote in a majority of all members of the Town Board. The Resolution offered at the August 11th meeting was lost. The same Resolution, as follows, was offered by David Lyon, seconded by Nelson Cook and passed with 3 ayes - Edwin Wheeler, Nelson Cook and David Lyon voting aye and 1 no - Roy Aplin voting no and Bruce Wideman abstained:

RESOLUTION  
RE: COND.  
ON M. ALBERTSON'S  
APPLIC.

WHEREAS, there was some clarity needed in view of existing conditions in the conditions imposed on Max Albertson's application for an airport, AND WHEREAS, the Town Board, after reviewing the facts and original conditions, entertains the following Resolution: BE IT RESOLVED, that the conditions imposed on the application of Max Albertson be amended to read as follows: #1 - Limited to use of applicant and not transferrable without an application and approval of the Town Board, #2,3,4 to remain the same, #5 - No permanent hangering or tie-downs except for applicant's and guests' planes, #6 - 10 to remain the same, #11 - Instruction limited to or for applicant and immediate family, #12 - No employees for the purpose of repairing aircraft, #13 - to remain the same.

Bruce Wideman tendered his resignation as a member of the Planning Board effective August 11, 1977. His term on the Planning Board expires May 1980 and it will be necessary for the Board to appoint someone to fill the vacancy. An ad will be placed in the paper seeking interested persons for this position and they will be interviewed at the September 22nd Town Board meeting.

B. WIDEMAN'S  
RESIG. ON  
PL. BD.

Water - Chairman Nelson Cook reported that he had met with the Village of Palmyra in regard to a water supply for the Proposed Route 31 East Water District and the Town has been assured of a water supply for that area. Mr. Cook stated that he will formulate a letter to be sent to residents on Route 31 and Hammond Road to find out if any residents outside Phase I are interested in joining the Water District. Chairman Cook has not as yet been able to contact Mr. Pinkney, Supervisor of Ontario or Mr. Halldow, Supervisor of Williamson to talk with them about a possible water supply from their areas. A proposal was offered by Mr. Cook to have a joint meeting of the Village Board, Town Board, Town Engineer and Village Engineer to discuss the possibility of a Town - wide Water System. Supervisor Aplin reported on the water rates paid by other Towns in the County. Water rates and other related problems were discussed by the Board.

WATER  
SUPPLY  
FOR PROP.  
WATER DIS.

Joint Recreation Commission - Nelson Cook reported that there is a copy of the specifications for the new Palmyra Community Center in the Town Office. Opening date for the bids is September 1st.

SPECS FOR  
NEW PAL.  
COMM. CTR.

Supervisor Aplin reported that there is an amount of \$3543.00 in the Anti-Recession Funds and the next cut-off date is October 12th.

ANTI-REC.  
FUNDS

Consolidation of Town & Village Committee - Chairman Edwin Wheeler reported that at a meeting with the Village, it was determined that the Village will be willing to work with the Town concerning the position of Assessor. The Town would hire the Assessor and the Village would contract with the Town for the Assessor's services. At this time, the appointment of Village Assessor extends to April 1, 1978. Supervisor Aplin reported to the Board on the salaries of Assessors in several towns in the County. Some towns have full-time assessors - others have part-time assessors. This information was discussed by the Board. It was decided to place an ad in the paper to find interested persons for this position. Supervisor Aplin appointed Bruce Wideman as Chairman of the committee to appoint an Assessor with the other Town Councilmen serving on the committee.

MTG. W/  
VILL. RE:  
ASSES. APPT.

B. WIDEMAN  
CH. OF COMM  
TO APPT. AS  
ASSESS.

The Town Attorney reminded the Board that in order to have the question

PROP. LOCAL  
LAW-GAMES  
OF CHANCE

MOTION TO  
POST HRG.

concerning Games of Chance on the ballot at the General Election, it would be necessary to hold the Public Hearing before October 9th. Following discussion, David Lyon made the motion to post the legal notice for the Public Hearing on the Proposed Local Law - Games of Chance, hearing to be held Thursday, September 22nd. Motion was seconded by Edwin Wheeler and passed with 5 ayes and no nos. It was determined that the Zoning Officer would be the designated officer for this Proposed Local Law.

COMMITTEE FOR  
FIRE CONTR.

Supervisor Aplin appointed Town Councilmen Nelson Cook and Edwin Wheeler as a Committee to work with the Fire Companies on the Fire Contracts which are expiring this year.

RESOLUTION  
FOR WELFARE  
REFORM

Under new business, Supervisor advised the Town Board of a Resolution adopted by the County Board of Supervisors concerning Welfare Reform. There are petitions available, one in the Town Office, which people may sign if they approve of Welfare Reform. Mr. Aplin spoke to the Board in regard to Statistics and comparisons sent out by the Department of Audit & Control and Department of Social Services and a general discussion followed. The following Resolution was offered by Supervisor Aplin, seconded by Bruce Wideman and passed with 5 ayes and no nos:

WHEREAS, President Carter has announced a program of national reform of the welfare system; and  
 WHEREAS, such program is to be implemented by 1980; and  
 WHEREAS, the Town Board of the Town of Palmyra, New York State believe that there is an urgent and pressing need for immediate implementation of such a welfare reform program; and  
 WHEREAS, the Town Board of the Town of Palmyra believe that in such implementation strong consideration should be given to reduce the funding and mandates at both the state and federal levels whereby, local taxpayer's monies can be retained and need and eligibility requirements can be determined by town and county governments, according to "home rule" law.

NOW, THEREFORE, be it resolved that the Town Board of Palmyra hereby ~~ENDORSE AND SUPPORTS THE PRESIDENT'S EFFORTS FOR NATIONAL WELFARE REFORM; AND~~ endorse and supports the President's efforts for national welfare reform; and

BE IT FURTHER RESOLVED, that the Town Board of Palmyra hereby urges the President to move the timetable for implementation of such program from 1980 to 1978; and

BE IT FURTHER RESOLVED, that a copy of this resolution be submitted to the President of the United States, the Governor of the State of New York, Assemblyman James Hurley, Assemblyman Thomas Hanna, Senator Fred Warder, and Congressman Frank Horton.

QUESTION ON  
NEW VOT.  
MACH.

Town Councilman David Lyon questioned where the new Voting Machine from the Justice Rooms was located. Supervisor Aplin stated that it was at the Wayne County Fair in the Fair House in the Democratic booth. Mr. Lyon stated that he was questioning only because in the past when Voting Machines were to be used, it was done with the Town Board approval.

MOTION TO  
PAY BILLS

The motion to pay the following bills was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos;

GENERAL FUND	VOUCHERS # 279-296	3626.68
PART TOWN FUND	" #	-----
HIGHWAY ITEM I & IA	" # 51-56	12544.04
HIGHWAY ITEM III	" # 145-148	599.37
HIGHWAY ITEM IV	" # 47	374.40
FEDERAL REVENUE SHARING	" # 4	4.70
SOUTH WATER DISTRICT	" # 10-11	87.85
NORTH WATER DISTRICT	" # 20-22	203.15
TOTAL		<u>\$17440.19</u>

MOTION TO  
ADJOURN

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

Respectfully submitted,  
*Betty B. Stubbings*  
 Betty B. Stubbings, Town Clerk



Supervisor  
LeROY R. APLIN  
Town Clerk  
BETTY B. STUBBINGS  
Justice of the Peace  
JAMES R. ALSDOFF  
HARRY K. WHITE  
Town Councilman  
ANDREW BARAN  
DAVID C. LYON  
FREDERICK R. ALDERMAN  
GLENN C. WIDEMAN

## Town of Palmyra

TOWN BOARD ROOMS  
204 East Main Street  
Palmyra, New York 14622

Town Highway Superintendent  
JAMES DeBRINE, Jr.

Collector  
SALLY I. LYNCH

Town Health Officer  
MORTON S. ADAMS, M.D.

Town Assessor  
ROBERT W. KIRCHHOFF

August 12, 1977

Arthur Levitt, State Comptroller  
State Of New York  
Alfred E. Smith State Office Building  
Albany, New York 12236

Dear Sir:

In January of 1974, I appointed Town Councilman Glenn Wideman as Deputy Supervisor for the Town of Palmyra.

He was my deputy since that time and up until his death on June 11, 1977.

On July 28, 1977, I appointed a new deputy to fill the vacancy.

On August 11, 1977, I was informed by the 3 remaining councilmen on the town board that my appointment was illegal due to my failure to appoint a deputy supervisor within five days after the vacancy occurred and they moved on and appointed another deputy.

It should be noted that the councilmen did not move on their appointment until some time later and after my new appointment had been made. Since the deputy supervisor according to Town Law Sec. 42 serves at the pleasure of the supervisor, do I have the power to remove the present deputy?

It is my opinion that the intent of the law regarding giving the supervisor the power to appoint his deputy and serving at his pleasure is fundamental and clear for good government. It is further my opinion that their action does not follow in the intent and spirit of the law.

Would you kindly give me rulings or opinions on the above matter?

Very truly yours,



Roy Aplin, Supervisor  
Town of Palmyra



STATE OF NEW YORK  
DEPARTMENT OF AUDIT AND CONTROL  
ALBANY

ARTHUR LEVITT  
STATE COMPTROLLER

August 23, 1977

IN REPLYING REFER TO

77-655

Mr. Roy Aplin  
Supervisor  
Town of Palmyra  
204 East Main Street  
Palmyra, New York 14522

Re: Town of Palmyra

Dear Mr. Aplin:

You state the following:

Statement of Fact

In January of 1974, the town supervisor appointed one of the town councilmen as deputy supervisor. He died on June 11, 1977, having served as deputy supervisor until that time. On July 28, 1977, the supervisor appointed a new deputy supervisor to fill the vacancy. On August 11, 1977, the three remaining councilmen on the town board declared that the supervisor's July 28 appointment was illegal because he did not make such appointment within five days after the vacancy occurred, in accordance with section 42 of the Town Law. Thereupon, the remaining town board members appointed their own deputy supervisor.

Inquiry

Which deputy supervisor appointee is entitled to hold office?

Statement of Law

Provision is made in section 42 of the Town Law for creating the office of deputy supervisor and for appointment to that office. Insofar as applicable to the inquiry herein, section 42 provides as follows:

Mr. Roy Aplin

- 2

"The town board of any town may at any time establish the office of deputy supervisor. The deputy supervisor shall be appointed by the supervisor to serve at the pleasure of the supervisor . . . If the supervisor shall fail to appoint a deputy supervisor . . . within five days after a vacancy occurs in the office, the town board shall have power to appoint such deputy supervisor . . ."

The meaning of the five-day provision above-quoted is, of course, critical to the resolution of this question. There obviously can be no dispute that, if the supervisor does not make an appointment to fill a vacancy within five days of the occurring of the vacancy, the town board may make the appointment. Had this town board done so, then clearly its appointee would now be the proper incumbent.

However, that did not happen. The town board made no attempt to fill the vacancy until the supervisor had selected his own appointee. We incline to the view that the five-day provision is directory only. It simply authorizes the town board to act where the supervisor does not act in timely fashion. But, where the town board does not exercise its option so to act, we do not believe that the supervisor is forever foreclosed from acting. In short, we believe that the supervisor continues to have the power to appoint a deputy supervisor, even after the five days have elapsed, provided the town board has not exercised its prerogative to make the appointment in its own right.

If the intent of the statute were to the contrary -- that is, if the supervisor were forever foreclosed after the expiration of the five days -- then the town board could simply sit back and make no appointment and effectively deny the supervisor a deputy, notwithstanding the creation and existence of the office. We cannot believe that this would bear out the statutory intent. We believe that the purpose behind the five-day provision is to enable the town board to act, in any situation where the supervisor has neglected or refused to appoint a deputy and where the town board sees the need to have one, for example where the supervisor is to be foreseeably absent or becomes disabled. But we believe, as previously indicated, that the town board must take some affirmative action following the five-day period in order for the

Mr. Roy Aplin

- 3

supervisor to be barred from appointing his own deputy.

A look at the natural sequence of events flowing from the statutory language does, we think, tend to bear out the foregoing position. Let us assume, as in the fact situation before us, that the supervisor acts after the five days and that the town board has the right to rescind or ignore his appointment and make an appointment of its own. Section 42 states that the deputy supervisor is to serve at the pleasure of the supervisor. Since no distinction is made in this regard between the supervisor's appointee and the town board's appointee, we can only assume that the town board's appointee also serves at the supervisor's pleasure. Hence, the supervisor could, it seems to us, simply terminate the town board's appointee, thus creating a new vacancy in the office, which the supervisor could then fill pursuant to the provisions of section 42.

While the above result is a conceivable outgrowth of the statutory provisions, it would also be a rather impractical and unnecessary means of arriving at virtually the same result which would obtain if our initial interpretation were followed. In either event, it would be the supervisor's appointee who would ultimately be the deputy supervisor. Accordingly, we reiterate our conclusion that, where the supervisor does not make an appointment to fill the vacancy within five days after it occurs, the town board may do so. But the town board must act in order to activate its prerogatives. If it does not do so, the supervisor continues to have the right to make the appointment.

In consequence of the foregoing, we express the view that the supervisor's original appointee to fill the vacancy is the proper office-holder. This is so, we believe, notwithstanding the supervisor's failure to make the appointment within five days.

#### Conclusion

The provision that, if the supervisor fails to appoint a deputy supervisor within five days after a vacancy occurs in the office of deputy supervisor, the town board may make an appointment to fill the vacancy, is directory only. If the town board fails



Mr. Roy Aplin

- 4

to exercise such prerogative and does not make the appointment,  
the supervisor continues to have the right to do so.

We trust that the above will be of assistance to you.

Very truly yours,

ARTHUR LEVITT  
State Comptroller

By

*James C. Cooper*  
James C. Cooper  
Associate Counsel

JCC:tp

August 31, 1977

SPECIAL MEETING

The Special Meeting of the Town Board of the Town of Palmyra was opened MEETINGS OPENED by Supervisor Aplin at 7:30 P.M. Wednesday, August 31, 1977 in the Town Office, 204 East Main Street, Palmyra, New York with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Aplin, Town Councilmen Nelson Cook, David Lyon and Bruce Wideman, Town Clerk Betty Stubbings. Interested persons attending were Paul Burkhardt, Steve Jackson, Paul Moderacki and George & Helen Contant.

The Clerk read the letter of Notice of Special Meeting as follows: LETTER OF NOTICE READ  
August 29, 1977

Mr. David C. Lyon  
Lyon Road  
Marion, New York 14505

Dear David,  
The Supervisor has called a Special Meeting of the Town Board of the Town of Palmyra for Wednesday, August 31, 1977 at 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York. He requests a full Board to be in attendance.

Very truly yours,  
Betty B. Stubbings, Town Clerk

P.S. - This meeting will be held -  
First - to determine the legality of the appointment of Councilman David Lyon as Deputy Town Supervisor by the Town of Palmyra Town Board on August 11, 1977  
Second- to hear, consider and act upon any other matter which maybe brought to the Board in the same manner and to the same effect as if the Board were convened in regular session  
Dated at Palmyra, New York  
August 29, 1977

Letters were also sent to Councilmen E. Whesler, B. Wideman and Nelson Cook. On August 29, 1977, the Courier-Journal, Democrat & Chronicle, Newark Courier-Gazette and WACK Radio were notified of the Special Meeting.

The Supervisor requested the Clerk to read a portion of the August 11th PORTION OF 8/11 MTG. READ Town Board minutes, a paragraph found on Page 103 of the Minutes Book.

The Supervisor read the attached letter of August 12, 1977 which he sent to Arthur Levitt, State Comptroller and he also read the attached SUPERVISOR READ LETTER FROM STATE COMPTROLLER letter of August 23, 1977 - his reply from Arthur Levitt.

Town Councilman David Lyon offered the following Resolutions:

WHEREAS, Section 42 of Town Law provides that, "If the Supervisor shall fail to appoint a deputy supervisor within five days after the establishment of the office or within five days after a vacancy occurs in the office the town board shall have power to appoint such deputy supervisor", and;  
WHEREAS, the supervisor failed to act within the prescribed five days, and;  
WHEREAS, The town board had no notice of the supervisor's prospective appointment of Lynn and the town board wanted to be sure it was doing nothing illegal; it sought an independent opinion from the Department of Audit and Control and;  
WHEREAS, the Department of Audit and Control rendered the opinion that it should be the power of the town board to appoint a deputy supervisor, and;  
WHEREAS, the members of the town board felt the person appointed deputy supervisor should be a person elected by the people and familiar with the day to day business of the town and who has served in public office, and;  
WHEREAS, the supervisor made a motion to table the appointment of a deputy until the matter could be reviewed legally, and;  
WHEREAS, the supervisor failed to support his own motion and elected not to postpone the appointment of a deputy supervisor and;  
WHEREAS, THE TOWN BOARD HAS BEEN informed by the Department of Audit and Control that they have changed their interpretation of the law in response to a letter from the supervisor of the Town of Palmyra and;  
WHEREAS, the town board is interested in proceeding with the more pressing and important business of the town and now;  
THEREFORE; be it resolved that the town board does not oppose the super- RESOLUTION OFFERED BY D. LYON

visor in his appointment of a deputy town supervisor. The Resolution was seconded by Nelson Cook and passed with 3 ayes and 1 no. - Roy Aplin voting no.

MOTION TO  
ADJOURN

A motion to adjourn was made by Nelson Cook, seconded by Bruce Wideman. The Supervisor stated that he had some other items of business and Mr. Wideman withdrew his second to the motion and the motion to adjourn was lost.

MOTION  
LOST

RE-APP'T OF  
J. LYNN

Supervisor Aplin at this time terminated the Town Board's appointment of David Lyon as Deputy Supervisor and re-appointed John Lynn as Deputy Supervisor of the Town of Palmyra.

4-WAY STOP  
SIGNS AT PAL-  
MER & HOGBACK  
HILL RDS.

Supervisor Aplin reported that the 36" 4-way Stop signs recommended by the Town Board for the intersection of Palmer and Hogback Hill Roads would require 6 to 8 weeks for delivery. He stated that 30" signs can be obtained at the Wayne County Highway Department and 30" signs are legal according to the manual. The motion was made by Bruce Wideman that the Town Board make recommendation to Town Highway Superintendent De Brine to order and erect the 30" 4-way Stop signs at the intersection of Palmer and Hogback Hill Roads. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

MOTION TO  
REC. 30"  
4-WAY STOP  
SIGNS

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

MOTION TO  
ADJOURN

Respectfully submitted,

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

Feb - 1977

Harry White made a  
personal tour of area in  
violation and will call  
Mr. Yarger into Court 2/14/77  
Court appearance 3/28

4/14/77 Fence put up, property  
improved

7/29/77 - issued Warrant for arrest  
by H. White

8/11/77 granted Cond. Discharge  
by Court

8/25/77 Yarger complied.

9/8/77 - Pg 112



**AFFIDAVIT OF PUBLICATION**

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

ADVERTISERS FOR THIS  
PLEASE TAKE NOTICE  
that pursuant to Resolution  
of the Town Board of the Town  
of Palmyra, County of Wayne,  
State of New York, passed  
July 19, 1977, the purchase of the  
new 1977 Hydro-Call Green  
Sand Salt and Material  
spreaders will be recorded  
in the Office of the Town Clerk of  
the Town of Palmyra, 204 East  
Main Street, Palmyra, New  
York, until 7:30 P.M. Sep-  
tember 1, 1977, at which time  
they will publicly be opened  
and sold.  
Specifications, terms and  
any interested persons  
should apply to the  
Town Clerk of the Town of  
Palmyra.  
Dated August 12, 1977  
By \_\_\_\_\_ of the Town Board  
of the Town of Palmyra,  
Party's Subscribing

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

..... August 12, 1977 .....

..... August 19, 1977 .....

..... Elizabeth M. Main .....

Foreman of the Publisher

Subscribed and sworn to before me  
this 11 day of Oct 1977

..... Michael J. Hanover .....

Notary Public

Fee: \$16.16

September 8, 1977

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. Thursday, September 8, 1977 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Roy Aplin with a moment of silent prayer and the Fledge of Allegiance to the Flag. Town Officers present were: Supervisor Aplin; Town Councilmen Bruce Wideman, Edwin Wheeler, Nelson Cook and David Lyon, Town Highway Superintendent James DeBrine, Zoning Officer Francis Toole, Town Attorney Paul Rubbery and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Board were: David Kirch, Stephen Schneider, Richard Mason, Ann Tyler, Stuart Smith, Peter Daly, James Chace, Paul Burkhardt, Kass Vande, Shilagh Maxwell and Nancy Rubery.

MEETING OPENED

The first item of business was the opening of bids scheduled for 7:30 P.M. The Clerk read the Proof of Publication. The following bids were opened and read by the Clerk:

BIDS OPENED FOR 1977 MATSPDR.

For the purchase of 1 - new 1977 Hydraulically driven Sand, Salt and Material Spreader:

- I - Monroe Tractor \$4125.60
- II - J. R. Hanna, Inc. \$3892.00
- III - P. D. Service, Inc. \$3889.00
- IV - Mike and Joe Equipment \$3476.00

The Supervisor declared the bids closed. The 4 bids were referred to the Highway Committee for study and the Committee will report back to the Board.

BIDS CLOSED

The motion to dispense with the reading of and approve the minutes of the August 11th Board meeting was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION TO APPROVE MINUTES

At this time, Peter Daly of Wilson Johncox Realty, Ontario, New York and James Chace, prospective purchaser of the Miller property on North Creek Rd., formerly the Thorne home, came before the Town Board to present some proposed changes in the house on this property. It is now a 2 family dwelling and Mr. Chace is seeking information about what he has to do to make the house a 3 apartment dwelling. This request was discussed by the Board and the Zoning Officer, then referred to the Planning Board for recommendations.

REQUEST BY J. CHACE FOR 3 APT.

The following communications were read by the Clerk: (1) Letter from the Department of Transportation in regard to Rail-Highway Grade Crossing Program - State wide project for Crossing Improvement - this was referred to the Highway Committee (2) a letter from the Finger-Lakes State Park & Recreation Commission concerning the Bureau of Outdoor Recreation - Grants-in-Aid, copies are to be sent to Jim Campbell and M. Bushart. (3) a letter with enclosures from Harnish & Lookup Associates - Addendum No. 1 for Ref. project - Palmyra Community Center (4) A copy of a letter from Town Highway Superintendent DeBrine to Wayne County Sheriff's Dept. and the reply from the Sheriff in regard to traffic control at the intersection of Palmer Road and Hogback Hill Road - Mr. DeBrine brought the Board up to date on the most recent developments at this intersection. At this time, there are Stop signs and Stop Ahead signs on Palmer Road and supplemental Speed limit signs added to the Crossroad signs on Hogback Hill Road. No report has been received as yet from the Traffic Engineer with recommendations for this intersection. The Board discussed this intersection and related problems at length.

COMMUNICATION DOT GRADE X PROGRAM

B O R GRANTS-IN AID

LETTERS RE: PALMER & HOGBACK INTERSECTION

TN. HWY. SUPER. RE-PORT RE: INTERSECTION

Mrs. Carolyn Hall, Maple Ave. had requested time to speak to the Board and at this time Mrs. Hall appeared before the Board to request a temporary permit to open a Bookstore in her home, 1955 Maple Ave. for a period not to

C. HALL REQUEST

C. HALL  
REQUEST  
CONT'D

exceed 1 year until she can locate in a desirable location in the downtown business area. Her request is coming at this time because she would like to be open for the Christmas season and delivery time on the supplies is 8 to 10 weeks. The Board discussed this request but deferred any decision until the Town Attorney arrived.

LIBRARY  
INFO. &  
REQUEST

Members of the Library Board requested time to appear before the Board and at this time, Kass Vande, as spokesman for the Library, spoke to the Town Board on the expense of operating the Library and future plans. Copies of a report on the Library were given to Board members. Mrs. Nancy Rubery also spoke to the Board in regard to circulation, activities at the Library, Volunteer help and other statistics of interest. Due to increased cost for personell, equipment, operating expenses, the Library is requesting a higher amount be considered in the Budget for 1978. A Community survey will be done to obtain necessary information to determine how to serve the people in the best way.

ZONINGYAEGER

Zoning- The Clerk read a letter from Town Attorney Paul Rubery in regard to the court case, Town of Palmyra vs. Yaeger. Mr. Yaeger plead guilty in Justice Court, was given a Conditional Discharge - the condition being that in the event that there is any violation, he would be immediately fined. Zoning Officer Francis Toole reported that Mr. Musshaven has complied. The Supervisor and Zoning Officer both reported that they had received complaints

MUSSHAVENCOMPLAINTS  
RE: JUNK  
CARS ON  
TROLLEY RD.

from residents on Trolley Road concerning numerous cars from the Demolition Derby at the Wayne County Fair being placed along Trolley Road in the vicinity of the Junkyard. Both Mr. Aplin and Mr. Toole reported on this Zoning problem. They both checked the area and Mr. Toole took pictures. Mr. Aplin talked with the owner of the Junkyard and holder of the Junkyard license, Bernard Pulcini and the operator William Hood. Supervisor Aplin contacted the Sheriff's Dept. and some of the cars were towed away by the Sheriff's Dept. Mr. Aplin also reported that Mr. Hood made a complaint to the State Police charging the Wayne County Sheriff's Dept. and the Supervisor with Grand Larceny. Mr. Toole hasn't been able to locate anyone at home at T. Footer's on Maple Ave. There are still some cars in violation but the site is not worsening. Mr. Toole will keep checking.

FOOTER

The Board returned to Mrs. Hall's request. Town Attorney Rubery advised that this request would require a hearing before the Zoning Board of Appeals unless the Board determined that this would be considered a Home Occupation. Mrs. Hall stated that she would not have more than one employee outside the family, there is ample space for parking, plus a turn-around, she would comply with the sign regulations. A motion was made by Town Councilman Edwin Wheeler to allow Mrs. Carolyn Hall to have a Temporary ( not to exceed 1 year ) Permit to be a book dealer under Home Occupation as defined by the Zoning Ordinance of the Town of Palmyra. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO  
APPROVE  
C. HALL'S  
REQUESTVFW REQUEST  
TO BUILD  
PAVILION

The Zoning Officer presented an application from the Palmyra Memorial VFW Post #6778 on Route 31 to build a Pavilion for Storage and Picnic area. This is an extension of a non-conforming use and will require a hearing before the Town Board. This application was referred to the Planning Board for recommendations.

MOTION TO  
APPROVE  
B. BRIGGS  
REQUEST

The Town Board received a request from Betty Briggs, a member of the Zoning Board of Appeals, to attend the New York Planning Federation October 16-18th. A motion was made by David Lyon, seconded by Edwin Wheeler to re-imburse Mrs. Briggs for reasonable expenses incurred while attending this conference.

Motion was passed with 5 ayes and no nos.

The Clerk advised the Board that the term of Harlan Tyler on the Zoning Board of Appeals will expire in October and reported that Mr. Tyler has been contacted and he will advise the Board as to his decision about accepting a 5 year appointment to this position.

H. TYLER  
APPT. ON  
ZON. BD.

The Supervisor advised that he has had 3 interested persons contact him in regard to the vacancy on the Planning Board - Mark Vande, Lou Ziegler and Roger Cabic.

PL. BD.  
APPTS.

Town Attorney Paul Rubery advised the Town Board that if they wished to have the "Games of Chance" on the ballot at the General Election, it would be necessary to change from a Local Law to a Town Ordinance. Following some discussion on this matter, a motion to change the Local Law on Games of Chance to a Town Ordinance for Games of Chance was made by Nelson Cook, seconded by David Lyon and passed with 5 ayes and no nos.

MOTION  
TO CHGE.  
LOCAL LAW  
TO ORD.  
GAMES OF  
CHANGE

A motion to hold a Special Meeting on Thursday, September 29th in order to hold the Public Hearing for the Town Ordinance - Games of Chance, interview candidates for the Planning Board and to consider any other business which may properly come before the Board was offered by David Lyon, seconded by Bruce Wideman and passed with 5 ayes and no nos.

MOTION TO  
HOLD SPEC  
MTG.

The motion to post the legal notice for a Public Hearing on "Games of Chance" at 7:30 P.M. September 29th in the Town Office was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION  
TO POST  
HRG.

The interviewing of candidates for the Planning Board will start at 8:00 P.M. on September 29th.

The Committee to appoint an Assessor will get the interviews done and will try to bring recommendations to the September 22nd meeting but will definitely report at the Special Meeting September 29th.

ASSESS.  
APPT.  
DISC.

The Clerk reminded the Board that a Dog Enumerator has to be appointed in September. Five applications have been received. It was decided that the appointment could be done at the September 22nd meeting.

DOG ENUM  
APPT.

Bruce Wideman, Zoning Chairman, reported on Proposed Local Law In regard to the Proposed Local Law on Garage Sales, Mr. Wideman reported that some research shows that there are not enough lengthy sales in the Town of Palmyra to warrant the adoption of a Local Law. The Zoning Ordinance should cover the few long or continuous sales in the Town. The Proposed Local Law on Electrical Inspection Law was discussed at length and Mr. Wideman agreed to do more research and will report at the October meeting.

PROP. L. L.  
GARAGE  
SALES

Highway - The Board turned their attention to the traffic control at the intersection of Palmer Road and Hogback Hill Road. The original Resolution called for 4-way Stop signs and it has since been determined that Stop signs on Palmer Road will suffice until traffic checks can be made. The following Resolution was offered by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos: WHEREAS, the original Resolution authorizing 4-way Stop signs at the intersection of Palmer Road and Hogback Hill Road was conditioned upon recommendations in a letter from the Wayne County Sheriff's Department, re-enforcing the oral recommendations of the Sheriff's Department, AND WHEREAS, the Sheriff's Department has not furnished said written recommendations and has referred the matter to the Wayne County Highway Department and the Traffic Safety Engineer from the State and they have physically reviewed the intersection and suggest a Stop sign on Palmer Road in each direction, pending a traffic survey which they will conduct, NOW THEREFORE BE IT RESOLVED, that the intersection

PROP. L. L.  
ELEC. INSP.

TRAFFIC  
CONTROL  
PALMER  
& HOGBACK H.

RESOL.  
RE: STOP  
SIGNS  
AT PAL-  
MER & HOG  
BACK  
HILL RD.



RESOL.  
CONT'D.

at Palmer Road and Hogback Hill Road be controlled by a Stop sign erected on the South side of Hogback Hill Road for traffic proceeding North on Palmer Road and a Stop sign on the North side of Hogback Hill Road to control traffic proceeding South on Palmer Road.

MORRISON  
LEGAL  
SUIT

The Town Highway Superintendent reported that he had attended a hearing in Rochester in regard to the legal suit - Pamela Morrison vs. Palmyra-Macedon Central School, Village of Palmyra, Town of Palmyra and Town of Macedon. Mr. DeBrine represented the Town of Palmyra as requested but the Town is not involved in this case.

CURRAN  
LEGAL  
SUIT

Mr. DeBrine also reported that he talked with the Claims Adjuster from the Town's Insurance carrier in regard to the action being brought against the Town of Palmyra by Susan Curran as a result of an accident on Jeffery Road,

The Supervisor's signature was required on completion papers for work done on Lusk Road.

DISC. ON  
DONOVAN  
PLAN - '78

Mr. DeBrine reported that he and Town Councilman David Lyon had checked on what could be done in regard to Road Work in 1978 under the Donovan Plan. Their recommendations were to apply for funds under the Donovan SF Plan for work on Cambier Road-wedge and surface treatment, Garnsey Road - wedge and surface treatment, and Cole Road- surface treatment only, approximately 4 miles of highway being involved. The following Resolution was made by David Lyon, seconded by Nelson Cook and passed with 5 ayes and no nos: WHEREAS, it is time to specify those roads which will participate in the Donovan Plan, AND WHEREAS, the Town Highway Committee has recommended Cambier Road, Garnsey Road and Cole Road, NOW THEREFORE BE IT RESOLVED, that Cambier Road, Garnsey Road and Cole Road be submitted for participation under the Donovan Plan for improvements for 1978, and, BE IT FURTHER RESOLVED THAT, the Town Highway Superintendent or the Town Supervisor be authorized to execute necessary papers to apply for participation.

SPDR. BIDS

The Highway Committee has reviewed the bids for the Material Spreader but want to do some more study before they make recommendations.

INSUR.  
DISC.

A question in regard to the insurance on the contents of the new Highway building posed by Mr. DeBrine led to a general discussion on insurance. Water - Nelson Cook, Chairman reported on the progress of the Proposed Route 31 East Water District. A letter along with a map showing 3 phases, has been sent to all residents along Route 31 and Hammond Road who are in the area covered by the 3 phases, asking them to notify the Town Office if they wish to have water.

PROP.  
WATER  
DIST.INFO. RE:  
WATER CON.  
TRACT W/  
VILLAGE

Mr. Cook also reported that he has met with Mr. Congdon, Chairman of the Water Committee for the Village of Palmyra and they have an informal agreement for the Town of Palmyra and the Village of Palmyra to enter into a 3 year contract at the same rate as the present contract. General discussion followed on water supply, water rates and future plans for water supply.

BIDS FOR  
PAL. COMM.  
CTR.

Joint Recreation Committee - Nelson Cook reported that the bids were opened for the new Palmyra Community Center and the bids came in considerably higher than was expected. The Palmyra Community Center Board will review the bids and determine what course to take.

CANAL RESTOR.  
PROJECT

Town Councilman Bruce Wideman spoke to the Board on the Canal Restoration Project which was named as a Bi-Centennial Project in 1976 and is continuing at this time. Mr. Wideman stated that he is getting some help from the Village and would like to request some aid from the Town in the form of materials (gravel) and use of equipment at times.

The Supervisor reported on conditions at the Landfill and work which will have to be done. A discussion followed concerning use of CETA persons and problems involved.



The Supervisor was contacted by Richard Pickett in regard to the Canal Town Days Parade and was informed there would be cars available if Board members want to ride.

PARADE

Supervisor Aplin questioned Town Councilman Edwin Wheeler concerning the sketch of the Aqueduct Flag submitted by George Larsson. Mr. Wheeler will check this out.

TOWN  
FLAG

The Fire Contracts with the East Palmyra Fire Department and the Fort Gibson Fire Department which will be expiring this year were discussed briefly.

FIRE  
CONTRACTS

A motion to pay the following bills was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos:

MOTION  
TO PAY  
BILLS

GENERAL FUND	VOUCHERS # 297 - 310	2157.78
PART TOWN FUND	" # 44 - 46	265.73
HIGHWAY FUND ITEM I	" # 57 - 62	13517.75
HIGHWAY FUND ITEM III	" # 149 - 155A	24871.21
HIGHWAY FUND ITEM IV	" # 48	336.96
FEDERAL REVENUE SHARING	" # 5 - 6	26800.00
NORTH WATER DISTRICT	" # 23	3.42
TOTAL		<u>\$67952.85</u>

The motion to adjourn was made by David Lyon, seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION  
TO ADJOURN

Respectfully submitted,

Betty B. Stubbings  
Betty B. Stubbings, Town Clerk

September 22, 1977

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, September 22, 1977 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman and Nelson Cook, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine and Town Clerk Betty Stubbings. Interested persons attending were: Paul Burkhardt and Ann Tyler.

MOTION TO  
APPROVE  
MINUTES

A motion was made by Nelson Cook to dispense with the reading of and approve as submitted the minutes of the August 25th and August 31st Town Board meetings. The motion was seconded by Bruce Wideman and passed with 3 ayes and no nos.

Town Councilman David Lyon arrived at 7:40 P.M.

LETTER RE:  
INTERSECTION  
PALMER & HOG  
BACK HILL RD.

One communication was read by the Clerk - a copy of a letter from R. Novak, DOE to Philip Rice, sent to Town Highway Superintendent DeBrine concerning the intersection of Palmer Road and Hogback Hill Road.

ZONING

Zoning - Zoning Officer Francis Toole reported that Terence Footer of Maple Avenue, in violation because of unlicensed cars, will comply within the next week. Mr. Toole also reported that he had received complaints in regard to the East Septic Tank business on Route 21 N. in the Town of Palmyra. He and Town Councilman Lyon checked out the complaints - most were concerning the odor from the lagoon and field where the material from the septic tanks is dumped. Mr. Lyon talked with the Department of Environmental Conservation at Avonubut has nothing definite to report at this time. Mr. Toole and Mr. Lyon will follow up on this matter.

HEARING  
OPENED  
FED. REV.  
FUNDS

The Public Hearing scheduled for 7:45 P.M. in the Town Office on Proposed Federal Revenue Sharing Funds for 1978 was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. No one appeared in favor of or opposed to the planned use of the funds estimated to be \$43,002 for the year 1978 - \$25,000 is planned for Environmental Protection and \$18,002 for Capital Expenditures. The Supervisor declared the hearing closed.

ZONING

Zoning - cont'd - Zoning Officer Francis Toole advised the Board that the Palmyra Memorial VFW Post on Route 31 East has submitted an application for a Building Permit to build a Pavilion for picnic area and storage. This request was referred to the Planning Board for recommendations. According to Zoning Regulations, this will require a hearing before the Town Board. A motion was made by David Lyon to post the hearing for Thursday, October 13, 1977 at 7:30 P.M. in the Town Office. The motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

MOTION TO  
POST HEARING  
VFW POST

The Supervisor requested Zoning Chairman Bruce Wideman to check Article 9-A of the Municipal Law in regard to Games of Chance and report just what games are involved.

MOTION TO  
APPT. H. TYLER  
TO ZON. BD. OF  
APPEALS

Mr. Aplin read a letter from Harlin Tyler, Jr. indicating his interest in being re-appointed to a term on the Zoning Board of Appeals. The motion approving the appointment of Harlin Tyler to another 5 year term on the Palmyra Zoning Board of Appeals was made by Roy Aplin, seconded by David Lyon and passed with 4 ayes and no nos.

APPLICANT FOR  
PL. BD.

Mr. Aplin also informed the Board that he had received a letter from another person interested in the position on the Planning Board - a Mr. James Mylacraine, Hogback Hill Road.

**AFFIDAVIT OF PUBLICATION**

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

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

..... Septemeber 9, 1977 .....

..... Elizabeth M. Main .....

Foreman of the Publisher

Subscribed and sworn to before me

this 12 day of Sept 1977

..... Michael J. Dawson .....

Notary Public

Fee: \$ 8.83

NOTICE OF PUBLIC HEARING  
ON GENERAL REVENUE  
SHARING FUNDING  
PUBLIC NOTICE IS HEREBY  
GIVEN that the Town Board of  
the Town of Palmyra will hold  
a Public Hearing on the  
Proposed General Revenue  
Sharing Fund at 7:00 P.M.  
on Thursday, September 22, 1977, at which  
time all persons interested will  
be heard.  
Dated at Palmyra, New York  
September 8, 1977  
Betty B. Stubbins  
Town Clerk

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Mr. Toodle reported that the Department of Environmental Conservation has checked gravel pits in Monroe County and is now checking the gravel pits in Wayne County - the pits are being checked in regard to area and water level.

DEC. CHECKING GRAVEL PITS

The Clerk brought to the Board's attention that the Secretary to the Planning Board and the Zoning Board of Appeals will not be able to continue in that position for awhile, although she will be interested in coming back to it. The question of using M. Reithel, CETA worker, in this position was discussed.

SEC. TO ZON. BDS.

Highway - Town Highway Superintendent James DeBrine reported that the Highway Committee, after checking the bids which came in for the Material Spreader, advise accepting the low bid. A motion to accept the low bid for a 1977 Sand, Salt and Material Spreader from the Mike & Joe Equipment Company was made by David Lyon, seconded by Bruce Wideman and passed with 4 ayes and no nos.

HIGHWAY MOTION TO ACCEPT LOW BID FOR SPBR.

Mr. DeBrine reported on a drainage problem on Division Street which dates back to the 1960's. Several years ago a group of residents together installed a type of storm sewer system. They are now concerned that this storm sewer may be a convenient sanitary sewer system for some in that area - several residents are having a problem with water in their cellars. This was brought to the Board's attention by Mr. DeBrine, although the problem is not under the Town's jurisdiction. The Board discussed this matter at length.

DRAINAGE PROBLEM DIV. ST.

Mr. DeBrine discussed with the Board the communication from the New York State Department of Transportation in regard to Rail-Highway Grade Crossing Program - State-wide project for Crossing improvement. A motion was offered by David Lyon, seconded by Nelson Cook to send a letter to the Dept. of Transportation stating that the Town will not pass the Resolution to participate in this program. Motion passed with 3 ayes - Bruce Wideman abstaining.

MOTION RE. RESOL. FOR R.R. GRADE X PROGRAM

The Board is seeking estimates for the concrete floor in the new Highway building. Mr. DeBrine has contacted more people and will have estimates coming in soon.

ESTIMATE FOR FLOOR HWY. BLDG.

The Clerk reported that complaints had come into the Town Office concerning the NYS Dept. of Transportation picking up signs placed along the Highway. The Town Highway Superintendent stated that they were removing signs which had been placed on the State's Right of Way. Any further inquiries are to be directed to Jon Edinger, Newark Office of the NYS DOT.

DOT - PICKING UP SIGNS

Town Councilman Bruce Wideman extended his thanks to the Town Board and the Town Highway Superintendent for the help in the Canal Restoration. Assessment - Supervisor Aplin reported on some business from the County Board of Supervisors meeting of September 22nd in regard to Calspan, one of the professional groups hired by the County to work on the County-wide Re-assessment. The County is considering withholding funds because of unsatisfactory work and is also considering hiring a Tax Attorney expert to handle legal matters.

ASSESSMENT

Mr. Wideman stated that he will be prepared September 29th to present to the Board his recommendations concerning the appointment of an Assessor for the Town of Palmyra. He had advertised this position, has received 3 applications, and has interviewed 2 applicants.

APPLIC. FOR ASSE

Water - Chairman Nelson Cook reported on the progress of the Proposed Route 31 East Water District. Informational letters have been sent and the Town Office has been receiving opinions of the residents involved. The Supervisor stated that he has been questioned concerning the cost figures given for each Phase. Mr. Cook said he would check with Tony Malone, Town Engineer, in regard to how the average cost was determined.

WATER RT. 31 E WATER DIST



N. COOK  
ATTENDED  
VILL. BD.  
MTG. RE:  
WATER CONTR.  
& MASTER  
METERS

Mr. Cook also reported that he had attended the Village Board meeting on September 19th and at that time was questioned concerning the installation of Master Meters in the Water Districts. He will set up a meeting with the Village Water Committee Chairman, D. Congdon to further discuss the Water Contract and the Master Meters. Town Councilman Edwin Wheeler at this time is not actively participating in Town Business because of illness, and Town Councilman David Lyon has offered to work with Mr. Cook on this matter.

JOINT REC.  
COMMISSION

Joint Recreation Commission - Nelson Cook, Chairman, reported on a meeting he attended Monday, September 19th with Village Board members and the Palmyra Community Center Board to discuss plans for the new Community Center, the Fund Drive and related problems. The Board discussed these problems and Mr. Cook suggested a letter be sent stating the Town's support in this endeavor. A motion was made by Nelson Cook, seconded by David Lyon to send a letter to the Palmyra Community Center Board so stating the support of the Town Board in the project to have a community center for the residents of Palmyra and to inform the Palmyra Community Center Board that no permit is required for soliciting in the Town of Palmyra. Motion passed with 4 ayes and no nos.

MOTION TO  
SEND LETTER  
TO FCC BD.

Supervisor Aplin reported on a discussion at the County Board meeting in regard to the Youth Bureau. He also spoke concerning the Division of Youth and the new representative.

LANDFILL

Landfill - Supervisor Aplin spoke to the Board concerning the figure in the Town Budget for the Landfill. He also reported that he has a new CETA worker, Ronald LaFountain. Nelson Cook questioned the pile of scrap metal at the Landfill and inquired as to who removes it. Mr. Aplin stated that Bernard Pulcini is responsible for removing the scrap metal but he has to remind Mr. Pulcini occasionally.

MOTION TO  
APPT. MRS.  
PAT WILSON  
DOG. ENUM.

Under unfinished business, The Board turned their attention to reviewing the applications for Dog Enumerator. A motion was offered by Bruce Wideman, seconded by Nelson Cook to appoint Mrs. Patricia Wilson as Dog Enumerator for the Town of Palmyra for 1977. Motion passed with 4 ayes and no nos.

The Fire Contracts with East Palmyra and Port Gibson were discussed and Mr. Cook reported that he expected to meet with the Fire Departments by September 29th. Bruce Wideman will work with Mr. Cook in Edwin Wheeler's absence.

MOTION TO  
ALLOTT ANTI  
REC. FUNDS  
TO LIBRARY

The next item of business was the allocation of the Anti-Recession Funds - the cut-off date is October 12th. The Library has been considered for these funds having indicated a need for additional aid. A motion was made by Nelson Cook, seconded David Lyon that the Anti-Recession Funds in the amount of \$3543 plus accrued interest be allotted to the Palmyra King's Daughters Free Library for equipment, salaries, books, etc. The Clerk was asked to contact Kass Vande about attending the September 29th meeting to explain exact use of the funds. Motion passed with 4 ayes and no nos.

LAND ACQ.  
QUAKER RD.

Supervisor Aplin brought to the Board's attention a letter of September 16th from DOT, Real Estate Div. to J. Hodgson, Penn Central giving notification of expiration of release time in regard to preferential rights of Land Acquisition on Quaker Road. This communication was discussed and condemnation of this property by the Town was considered.

WORKSHOP RE:  
UNEMP. INS.

The Supervisor reported in regard to Unemployment Insurance and advised the Board there is to be a Workshop in Lyons on October 4th. It is expected that Virginia Wilson, Bookkeeper and Supervisor Aplin will attend.

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

MOTION TO PAY BILLS

GENERAL FUND	VOUCHERS #	311-327	\$2450.32
PART TOWN FUND	"	47 & 50	4152.79
HIGHWAY ITEM I & IA	"	63 - 65	3580.79
HIGHWAY ITEM III	"	156-159	997.97
HIGHWAY ITEM IV	"	49	224.64
FEDERAL REVENUE FUNDS	"	7	8.83
TOTAL			\$11,415.34

The motion to adjourn to September 29, 1977 was made by Bruce Wideman, seconded by David Lyon and passed with 4 ayes and no nos.

MOTION TO ADJOURN

Respectfully submitted,  
*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

September 29, 1977

SPECIAL MEETINGPUBLIC HRG.  
OPENED RE:  
TN. ORD.  
GAMES OF  
CHANCE

The Public Hearing scheduled for 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York concerning the adoption of a Town Ordinance authorizing the conduct of Games of Chance in the Town of Palmyra pursuant to Article 9-A of the General Municipal Law was opened by Supervisor Aplin. The Clerk read the Proof of Publication. No one appeared in favor of or opposed to this Proposed Ordinance. The Supervisor closed the hearing at 8:35 P.M.

MEETING  
OPENED

A Special Meeting of the Town Board of the Town of Palmyra held Thursday, September 29th was opened by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Nelson Cook, Bruce Wideman and David Lyon, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were Gerald Creel, Ora Rothfuss, Mark and Kass Vande, Doris Collie, James Mylacraine and Roger Cabic.

REP. FROM  
WAYNE CO.  
CHARTER  
COMMISSION

At this time, two members of the Wayne County Charter Commission, Gerald Creel and Ora Rothfuss, who had asked for time to speak to the Board, came forward to present information concerning the Wayne County Charter and County Manager/Executive. The question of going to a Charter form of government on the County level will be a question at the time of the General Election on November 8th. There will also be the question whether the County Manager/Executive will be elected or appointed. Mr. Rothfuss and Mr. Creel presented their information, the Board members asked questions and this subject was discussed at length. It was decided that an Informational meeting on the Charter and County Manager would be held Wednesday, October 19th in the Park & Club Rooms, if the rooms are available. The Clerk will check on the use of the rooms with the Village Clerk. It was suggested that notices be placed in the Newark Pennysaver and the Palmyra Timesaver.

DISC. RE:  
ANTI-REC.  
FUNDS FOR  
LIBRARY

Representatives of the Library, Kass Vande and Doris Collie, came forward at this time to present the guidelines for use of the Anti-Recession Funds which have been allotted to the Library. These guidelines in letter form will be attached to the agreement between the Town of Palmyra and the Library. Some expenditures were questioned and following some discussion, it was decided to take out the expenditures in question and increase the book purchases. The Town Attorney suggested that an agreement (Contract) between the Library and the Town of Palmyra be drawn up and signed by both parties, as was done at the time Anti-Recession Funds were allotted to the Palmyra Community Center. A motion was made by David Lyon that the Town Board authorize payment of \$3543.00 plus accrued interest to the Palmyra King's Daughters Free Library upon execution of the Contract. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

MOTION TO  
AUTHORIZE  
PAYMENT OF  
ANTI-REC.  
FUNDS TO  
LIBRARYINTERVIEWS W/  
PL. BD.  
APPLICANTS

One reason this Special meeting was called was to interview the applicants for the position on the Town of Palmyra Planning Board. The Supervisor did have four citizens indicate their interest - Lou Ziegler, Mark Vande, Roger Cabic and James Mylacraine. At this time, three applicants came before the Board, and Supervisor Aplin thanked these residents for their interest. A letter from Lou Ziegler asking that he no longer be considered for this position was read by the Clerk. A letter from James Mylacraine giving his background, education and reasons for being interested in this position was read by the Clerk. Roger Cabic and Mark Vande spoke to the Board in regard to their background, education and reasons for applying for this position. A motion was offered by Bruce Wideman

**AFFIDAVIT OF PUBLICATION**

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

NOTICE TO THE TOWN OF PALMYRA  
NOTICE IS HEREBY GIVEN  
that the Town Board will  
hold a public hearing on the  
10th day of September, 1977,  
at 7:00 P.M. in the Town  
Office, 204 East Main Street,  
Palmyra, New York, concerning  
the adoption of a Town  
Ordinance authorizing the  
conduct of games of chance  
in the Town of Palmyra,  
pursuant to Article 25 of the  
General Municipal Law.  
Games of chance may be  
operated by not-for-profit  
organizations after the  
necessary permits are obtain-  
ed.  
The said Town Board will at  
said time and place hear all  
persons in the support of said  
Ordinance or any objections  
therein. Persons may appear  
in person or by Attorney of  
Agent.  
Date: September 8, 1977  
By order of the Town Board  
of the Town of Palmyra  
Barry J. ...

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

September 16, 1977

*Elizabeth M. Main*  
Foreman of the Publisher

Subscribed and sworn to before me

this 16 day of Sept 1977

*Michael M. Donovan*  
Notary Public

Fee: \$11.12

MICHAEL M. DONOVAN  
WAYNE COUNTY OFFICIAL PUBLIC SERVICE  
(1975)



**AFFIDAVIT OF PUBLICATION**

STATE OF NEW YORK, } ss:  
County of Wayne

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

October 7, 1977

Foreman of the Publisher

Subscribed and sworn to before me

this 11 day of Oct 1977

Michael N. Donovan  
Notary Public

Fee: \$ 40.47 MICHAEL N. DONOVAN  
WAYNE COUNTY FORMALS 10/10/77



CJ7-012-DLQ



MOTION TO INTERVIEW APPLICANTS INDIVIDUALLY

that the applicants be interviewed individually regarding their reasons why they wish to serve on the Planning Board. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos. Following this motion, James Mylacrairie presented his reasons to the Board and he was questioned by Board members. Mark Vande was next to be interviewed and the Board interviewed and questioned Roger Cabcic last.

COMMUNICATIONS

The following communications were read by the Clerk (1) a letter from State Senator Fred Warder in regard to the President's Welfare Reform Program (2) a letter from Congressman Frank Horton concerning letter and Resolution sent to President Carter in regard to Welfare Reform (3) a letter from Town Attorney Paul Rubery concerning a letter he received from James DePoint in regard to Anti-Recession Funds allotted to the Palmyra Community Center.

The Board was reminded that due to an oversight, the re-appointment of A. Bebb to the Planning Board was not done in May. A motion was made by Bruce Wideman, seconded by Nelson Cook to re-appoint Arthur Bebb to a 5 year term on the Planning Board of the Town of Palmyra - term to expire May 1982. Motion passed with 4 ayes and no nos.

MOTION TO APPT. ART BEBB TO PL. BD.

The Board returned to the business of appointing one of the applicants interviewed earlier in the meeting to the position on the Planning Board. A motion was made by Roy Aplin to appoint Mark Vande to the position on the Planning Board created by the resignation of Bruce Wideman - term to expire May 1980. There was no second - therefore, the motion was lost. Considering that some of the Board members wished to have time to review the applicants' qualifications and presentations, a motion was offered by Bruce Wideman to table this decision until next meeting, October 13th. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

MOTION TO APPT. MARK VANDE MADE & LOST

MOTION TO TABLE DEC.

The Clerk reminded the Board that there would be a Planning Board meeting October 11th and there is no Secretary for the Zoning Boards at this time. The Board discussed the possibility of having Margaret Reithel, CETA worker fill this position temporarily. It was decided that Mrs. Reithel would be asked to do this work with the understanding that the evening hours worked for Zoning would be paid for in hours off from the weekly 40 hours.

ZON. BD. SEC.

The Town Board turned their attention to the Proposed Town Ordinance for the Conduct of Games of Chance - the Public Hearing was held earlier prior to the meeting. Following some discussion and questions asked of the Town Attorney concerning the Proposed Ordinance, a Resolution was made by David Lyon seconded by Bruce Wideman to approve the adoption of a Town Ordinance for the Conduct of Games of Chance subject to the approval of the voters at the General Election, November 8th. Motion passed with 4 ayes and no nos.

PROP. TN. ORDINANCE

RESOLUTION TO ADOPT PROP. ORD.

RESOLUTION DATED SEPTEMBER 29, 1977. A RESOLUTION MAKING A PROPOSED ORDINANCE TO PERMIT THE CONDUCTING OF GAMES OF CHANCE IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK PURSUANT TO ARTICLE 9 OF THE TOWN LAW OF THE STATE OF NEW YORK.

WHEREAS, the Town Board of the Town of Palmyra, New York, has determined that it would be appropriate that an ordinance be adopted regulating and restricting the conducting of games of chance within the Town of Palmyra and that such an ordinance would promote the general welfare of the people of the community; and WHEREAS, a public hearing concerning said ordinance was duly held on the 29th day of September, 1977 by said Board,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Palmyra, Wayne County, New York, that an ordinance authorizing the conduct of Games of Chance be enacted as follows:

SECTION 1. Authority: Title. This ordinance is enacted pursuant to the authority of Article 9-A of the General Municipal Law of the State of New York, and shall be known as the Games of Chance Law of the Town of Palmyra.

SECTION 2. Definitions. The words and terms used in this ordinance shall have the same meaning as such words and terms are used in Article 9-A of the General Municipal Law,



PROPOSED  
ORDINANCE  
CONT'D

unless otherwise provided herein or the context requires a different meaning; "town" means Town of Palmyra; "officer" means the chief law enforcement officer if there be one, if not, the Zoning Enforcement Officer.

SECTION 3. Games of Chance authorized: Restrictions.  
Games of Chance may be conducted in the Town by an authorized organization, after obtaining a license therefore, in accordance with the provisions, requirements and limitations of Article 9-A of the General Municipal Law, the rules and regulations of the New York State Racing and Wagering Board and this Ordinance.

The conduct of Games of Chance on Sundays is authorized, as otherwise provided in Article 9-A of the General Municipal Law.

In addition to the restrictions contained in Section one hundred eighty-nine of the General Municipal Law, the conduct of Games of Chance in the Town shall be subject to the following restriction.

SECTION 4. Effective date. This Ordinance shall take effect immediately after approval thereof by the voters of the Town voting thereon at the next Town Election to be held on November 8, 1977.

RESOLUTION  
RE: ORD.  
GOING ON  
BALLOT AT  
GEN. ELEC.

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

WHEREAS, the Town of Palmyra has duly enacted a Proposed Ordinance to permit the Conduct of Games of Chance in the Town of Palmyra, AND WHEREAS, all registered voters must have the opportunity to vote on said Ordinance at the General Election to be held on Tuesday, November 8, 1977, NOW THEREFORE BE IT RESOLVED, that the following question shall be a Proposition on the ballot as follows: " Shall the ordinance adopted by the Town Board of the Town of Palmyra, New York on September 29, 1977, which authorizes the conduct of Games of Chance within the Town of Palmyra be approved?"

ASSESS.  
APPT.

The next item of business concerned the appointment of an Assessor. Town Councilman Bruce Wideman reported that he had received 2 applications, plus an application from the present Assessor indicating an interest in the position. One applicant, Kurt Manske, asked that his application not be considered. Mr. Wideman and his committee interviewed Roger Schwing and Robert Kirchhoff and they checked with Vincent Fischette, Director of Personnel in Lyons. The Committee felt there should be a transition period to avoid confusion. After considerable discussion, Bruce Wideman moved that the Town Board appoint Robert Kirchhoff as Temporary Assessor for a period of 6 months and appoint Roger Schwing as Assistant Real Property Tax Service Aid for a period of 1 year, that all Town Records, Tax Rolls, currently in possession of the present Temporary Assessor be moved to and remain at the Town Office. Motion was seconded by Nelson Cook. Discussion followed concerning the Assessor's Budget request and salaries. The Board decided these points needed clarification before an appointment could be made. Mr. Cook withdrew his second to the motion, therefore the motion was lost. A motion was made by Bruce Wideman to appoint Roger Schwing as Assistant Real Property Tax Service Aid for a period of one year, effective October 1, 1977. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

MOTION  
MADE &  
LOST

MOTION TO  
APPT. R.  
SCHWING

LAND  
ACQUISITION  
QUAKER RD.

MOTION TO  
PROCEED W/  
CONDEMNATION

MOTION TO  
AUTHORIZE  
TRANS. OF  
FUNDS

Another item under unfinished business to be discussed was the Land Acquisition on Quaker Road. The Town Attorney brought the Board members up to date on the recent developments of this problem. The Preferential rights have been lost and revert back to the Dept. of Transportation. However, the Town can still proceed with condemnation of this property. A motion was made by Roy Aplin to proceed with the condemnation and to authorize the Town Attorney to expend up to \$1,000 for maps, abstracts and appraisals. Motion was seconded by Bruce Wideman and passed with 3 ayes and 1 no - David Lyon voting no.

A motion to authorize the Transfer of Funds from Highway III Machinery Fund, Acct. No. DM 2840 to Highway I Rep. & Improvements, Acct. No. DR2812 in the amount of \$24,988.00 was made by David Lyon, seconded by Nelson Cook and passed with 4 ayes and no nos.

**AFFIDAVIT OF PUBLICATION**

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



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

..... October 07, 1977 .....

..... October 14, 1977 .....

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

Foreman of the Publisher

Subscribed and sworn to before me

this 24 day of Oct, 1977

Michael J. Brennan  
Notary Public

Fee: \$ 12.74

MICHAEL J. BRENNAN  
WAYNE COUNTY, N.Y. 14559



123  
FRESH  
WATER WET  
LANDS ACT

It was brought to the Board's attention that the effective date for the Fresh Water Wetlands Act has again been changed. Bruce Wideman offered to re-search this Act and report to the Board.

The Town Attorney spoke to the Board in regard to a piece of 1977 Legislation which would be of interest to the Village & Town - collection of Delinquent Taxes, Chapter 619, Laws of 1977. Mr. Rubery suggests investigating this legislation.

The Tentative Budget of 1978 for the Town of Palmyra was discussed. Water Chairman Nelson Cook reported that he had met with Town Engineer Tony Malone today and Mr. Malone will check on water sources from all possible areas for a water supply for the East Palmyra area and will figure the cost to put the water into East Palmyra from each of these areas. Mr. Malone stated he could do this for a fee from \$300 - \$500. The Board requested that the cost be figured on a rate per thousand of Assessed Valuation and Mr. Malone is to take in consideration that the area is in an Ag District. A motion was made by Nelson Cook to have Town Engineer Malone proceed with the study for a possible water supply for East Palmyra area. Motion was seconded by David Lyon and passed with 4 ayes and no nos.

WATER  
WATER  
SUPPLY  
FOR E. PAL  
AREA

MOTION TO  
PROCEED  
W/ STUDY

Mr. Cook suggested setting up an Informal Informational meeting for the Proposed Route 31E Water District. It was decided to check on the Park & Club Rooms for Tuesday, October 18th at 7:30 P.M.. If that space isn't available, Mr. Aplin suggested the Cafeteria at the Palmyra Elementary School.

INFO. MTG.  
FOR PROP  
WATER DIST

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

MOTION  
TO PAY  
BILLS

GENERAL FUND	VOUCHER # 328-339	6371.49
PART TOWN FUND	" # 51, 52	570.00
HIGHWAY ITEM I & IA	" #66 - 69	4019.42
HIGHWAY ITEM-III	" # 159C - 163	25585.02
TOTAL		<u>\$36545.93</u>

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

MOTION TO  
CLOSE

Respectfully submitted,  
Betty B. Stubbings  
Betty B. Stubbings, Town Clerk

October 13, 1977

PUBLIC  
HEARING  
RE: VFW  
APPLIC.

The Public Hearing scheduled for 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York, Thursday, October 13, 1977 for the purpose of hearing the application of Palmyra Memorial VFW Post # 6778 for a Special Authorization to build a pavilion for storage and picnic area on property located on Route 31 was opened at 7:50 P.M. by Supervisor Aplin. The Proof of Publication was read by the Clerk, George Meyers, Sr. Vice Commander and John McGory represented the applicant (VFW Post). There was no one present who was opposed to this application. The Clerk read the recommendations from the Planning Board. Following a brief discussion, Mr. Aplin declared the hearing closed.

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 8:00 P.M. by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag.

Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman and David Lyon, Town Clerk Betty Stubbings. Interested persons attending were: Stuart Smith, Paul Burkhardt, George Contant, George Meyers, John McGory and Ruth Benedict.

MOTION TO  
APPROVE  
MINUTES

A motion to dispense with the reading of and approve the minutes of September 8th was made by David Lyon, seconded by Bruce Wideman and passed with 3 ayes and no nos.

SP. LMT.  
REQUESTS  
DENIED

Under communications, the Clerk read 2 letters from the Department of Transportation in regard to requests for lower speed limits - (1) on Macedon Center Road, the request is denied at this time and (2) on Stafford Road,, this request was also denied at this time.

Zoning & Assessment -

MOTION TO  
APPROVE VFW  
APPLIC.

A motion was offered by Bruce Wideman, seconded by David Lyon that the Town Board grant the Special Authorization to Palmyra Memorial VFW Post # 6778 for the building of a pavilion for storage and picnic area. Motion passed with 3 ayes and no nos.

REPORT ON  
PL. BD. MTG.

Mr. Wideman reported on the Planning Board meeting held October 11th in regard to a one lot sub-division on Vienna Road - new residence of John Colacino. Neighbors appeared at the Public Hearing, were concerned about the septic system, objected to a Building Permit being issued on a Conditional Approval by the Planning Board and were interested in how much developing Mr. Michael Colacino intends to do with his property. A Stop-Work Order was issued until some checking could be done and the State could be contacted. Discussion followed.

Town Attorney Paul Rubery and Town Councilman Nelson Cook joined the meeting at this time.

MOTION TO  
APPOINT M.  
VANDE TO  
PL. BD.

A motion was made by Bruce Wideman that the Town Board approve the appointment of Mark Vande to the Planning Board to fill the unexpired term of Bruce Wideman, term to expire in May of 1980. Motion was seconded by Roy Aplin and passed with 4 ayes and no nos. It was well worth noting that 3 well qualified persons applied for this position. Town Councilman Lyon suggested that the Clerk send letters to the other candidates thanking them for their interest.

REPORT RE:  
WETLANDS

Mr. Wideman also reported to the Board in regard to the Freshwater Wetlands Act which he had offered to research. He feels that his research indicates that, if possible, the authority should remain on the local level. The Department of Environmental Conservation at Avon will assist in determining what lands are considered wetlands. Councilman Wideman will try to get maps to have in the Town Office.



The Committee for appointing an Assessor reported that there are still some details to be worked out.

ASSESSOR  
APPT.

Highway - Bids are still coming in for the concrete floor in the new Highway Building.

HIGHWAY

In the absence of the Town Highway Superintendent, the Clerk reported that the Notice of Order was received from the Department of Transportation in regard to the 30 MPH Area Speed Limit in the Bear Hill Drive and Rolfe Street section. A motion to approve the purchase of the signs needed for this area was made by David Lyon, seconded by Nelson Cook and passed with 4 ayes and no nös.

MOTION  
TO PUR-  
CHASE  
SIGNS

Councilman David Lyon reported that major road repair work is completed and the Town Crew is working on graveling roads, cleaning ditches and general clean-up jobs.

The bridge over the creek on Hogback Hill Road is out of service due to a motorist hitting it. The County is responsible for this repair and Supervisor Aplin reported that he has sent a letter to the County Highway Superintendent requesting information concerning the opening of the bridge to traffic.

BRIDGE ON  
HOGBACK  
HILL RD.  
CLOSED

Water -

Chairman Nelson Cook reported that he, Town Councilman David Lyon and Town Engineer Tony Malone had met with the Village in regard to the Water Contract. There are still some problems to be resolved and the Committee and the Town Engineer are reviewing and studying the situation.

REPORT  
RE: WATER  
CONTRACT

Mr. Cook stated that the Informational meeting for the Proposed Route 31 East Water District will be Tuesday, October 18th in the cafeteria of the Palmyra Elementary School.

INFO. MTG  
RT. 31E  
WATER DIST.

There is no report as yet from Town Engineer Malone concerning the study for possible water sources for the East Palmyra area.

The Fire Contracts with the East Palmyra Fire Department and Port Gibson Fire Department were discussed. The Committee reported that they have met with both Fire Departments. East Palmyra Fire Department has agreed to continue under the same terms and Port Gibson Fire Department has asked for an increase. Following considerable discussion, the Committee will go back to talk with Port Gibson about continuing under the same terms.

REPORT RE:  
FIRE CONTR.

Joint Recreation Commission -

Chairman Nelson Cook reported that the Palmyra Community Center Board rejected all bids for the new Community Center but expect to re-bid in January. The Fund Drive is expected to be started by mid-October. The Town Attorney questioned Mr. Cook concerning the Application for BOR Funds submitted by the Town of Palmyra. There has been no reply from Robert Peterson, Wayne County Planner. Supervisor Aplin reported on the details of the New York State Economic Action Program as presented at the County Board of Supervisors meeting. Mr. Cook asked if the Town of Palmyra ever received a letter from Wayne County Planner Peterson in regard to submitting a request for funds, considering that Sodus and Palmyra reportedly are the only Towns in the County not applying. Mr. Aplin replied that he has not received any letter. Considerable discussion followed.

REPORT ON  
PROP. COMM  
CTR.

DISC. RE:  
NYSECON.  
ACTION PRO.

A letter from the Board of Directors of the Palmyra Community Center requesting the Town Board to consider a 10% increase in the 1978 Budget was read by the Clerk.



Landfill -

LANDFILL

Supervisor Aplin stated there was nothing to report for the Landfill Committee. Town Councilman Nelson Cook asked if the scrap metal which has been piled at the Landfill had been removed. Mr. Aplin stated that he had not been out to the Landfill for a couple of weeks but did report that following an inspection 2 or 3 months ago, he had received a letter from the Department of Environmental Conservation noting 6 Violations. Mr. Cook asked if the Landfill could be closed due to these Violations and he questioned why this letter had not been brought to the Board's attention at the time it was received - July 1st. The Supervisor stated he didn't think the Violations were serious enough. Both Town Councilmen Cook and Lyon stated that they felt any correspondence addressed to the Town Board should be brought to their attention and not edited by the Supervisor. Mr. Aplin replied that in the future any and all correspondence would be brought to the Town Board meeting.

DISCUSSION

RE: TN.BD.  
CORRESPOND  
ENCE

He felt that only things which endangered the health, safety or welfare of the residents of the Town of Palmyra were necessary to come before the Board, he didn't feel these Violations were serious enough. George Contant, a citizen attending the Town Board meeting, stated that he felt Supervisor Aplin should not edit the correspondence received for the Town Board, it should be read. He also stated that he felt Supervisor Aplin was not informing the people of Palmyra as to what was going on at the County level and he pointed out that other Supervisors in the area put regular reports in the Palmyra paper. Stuart Smith, another resident attending the Board meeting, agreed with Mr. Contant but also questioned whether there were other things besides the Landfill and Bond Act which should have been brought to the Board's attention. Supervisor Aplin stated that he felt this discussion was political rhetoric rather than constructive action.

INFO. MTGS.  
WATERDIST.  
& CHARTER

The Clerk reminded the Board of the Informational meeting on the Proposed Route 31 East Water District, Tuesday, October 18th at the Palmyra Elementary School and the Informational meeting on the Proposed Wayne County Charter, Wednesday, October 19th at the Park & Club Rooms. Steve Jackson of the Courier Journal noted that some of the Towns have gone on record endorsing the Charter and he posed the question, "Is the Town of Palmyra considering endorsing the Charter?" Supervisor Aplin stated that perhaps after the October 19th meeting, the Board would take a stand. George Contant pointed out that it was thru his efforts that Gerald Creel and Ora Rothfuss of the Wayne County Charter Commission spoke to the Town Board at an earlier meeting and he questioned if the Supervisor would have brought representatives of the Commission before the Board. Mr. Aplin stated that he thought all of this discussion was politically motivated.

LIBRARY  
AGREEMENT

The agreement between the Town of Palmyra and the Palmyra King's Daughters Free Library on the Anti-Recession Funds was signed by the Board members.

REVAS  
BUDGET  
REQUEST

A letter accompanying the Financial report and the quarterly voucher from the Palmyra Emergency Volunteer Ambulance Service requesting an increase of \$500 in their Budget amount for 1978 was read by the Clerk.

TENTATIVE  
BUDGET

The Tentative Budget was presented to the Town Board and a message from Supervisor Aplin, Budget Officer, was read by the Clerk.

BUDGET  
SESSION

A budget session was set for Tuesday, October 20th and copies of the Budget will be available by Monday for the Board members to review and study.

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

MOTION TO PAY BILLS

GENERAL FUND	VOUCHERS #	340 - 356	6155.20
PART TOWN FUND	"	53 - 56	257.42
HIGHWAY ITEM I & IA	"	70 - 75	5063.17
HIGHWAY ITEM III	"	164 - 170	655.92
HIGHWAY ITEM IV	"	50 - 51	418.96
FEDERAL REVENUE SHARING FUND	"	8	2250.00
NORTH WATER DISTRICT	"	24	4.56
SOUTH WATER DISTRICT	"	12	2.46
TOTAL			\$14807.70

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

MOTION TO ADJOURN

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

October 27, 1977

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. Thursday, October 27, 1977 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Aplin, Town Councilmen Bruce Wideman and Nelson Cook, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine, Assessor Robert Kirchhoff and Town Clerk Betty Stubbings. Interested persons attending were Paul Burkhardt, Ann Tyler and George Contant.

MOTION TO  
APPROVE  
MINUTES

The motion to dispense with the reading of and approve as submitted the minutes of the September 22nd and September 29th Town Board meetings was made by Nelson Cook, seconded by Bruce Wideman and passed with 3 ayes and no nays.

One communication was read by the Clerk - a Notice of Re-scheduling of Public Meetings on the plan of study for Navigational Improvement in the New York State Barge Canal System. Town Councilman Bruce Wideman stated that he expects to attend the meeting in Syracuse November 30th.

COMMITTEES

Committees reported as follows:

ZONING

Zoning - Chairman Bruce Wideman and Zoning Officer Francis Toole reported on a Stop Work Order issued but not delivered to Terry Leone who is building a new home on Hammond Road. Mr. Wideman also spoke in regard to a Stop Work Order issued to J. Colacino in October. Mr. Toole requested that he be appraised of this type of situation prior to the issuing of legal papers. Following considerable discussion concerning procedures to acquire a Building Permit for a new home, the following Resolution from the Planning Board was read by the Clerk: "RESOLVED, that an engineer should review the plot plans prior to the Planning Board making any decision to review them, for technical background, data, and planning from a planning viewpoint, from the Sub-division Regulations, from perk test information, from accuracy of all information presented on the plot plan and that second; RESOLVED, that the Zoning Officer should be present during the perk test data done on the plot that will be submitted to the Planning Board; and that it be implemented by the Town Board, by adopting these procedures and funding the cost. Further discussion resulted from the reading of the Resolution. Town Councilman Bruce Wideman offered his services as an Engineer and will sit in on the Planning Board meetings to review the Plot Plans.

DISCUSSIONRE: STOP-  
WORK ORDER  
T. LEONERESOLUTION  
FROM PL. BD.

Town Attorney Paul Rubery joined the meeting at 8:05 P.M. and Town Councilman David Lyon at 8:10 P.M.

LAWSUIT BY  
N. Y. TEL. CO

Assessment - a letter from the Town Attorney to Mr. Edward H. Fox of Harris, Beach and Wilcox in regard to the case of the New York Telephone Company versus Board of Assessors of the Town of Palmyra, Assessor of the Town of Palmyra and the Town of Palmyra and a letter of October 24th in reply to Mr. Rubery's from Mr. Fox were read by the Clerk. Mr. Rubery spoke to the Town Board concerning this Petition of the New York Telephone Company and the progress up to this point. The Town Attorney advised that it would be to the Town's advantage to join the other Towns in the County and have Mr. Fox represent the Town of Palmyra. The following Resolution was offered by David Lyon, seconded by Bruce Wideman and passed with 4 ayes and no nays:

RESOLUTION  
TO JOIN CO.  
IN RETAINING  
ATTORNEY

WHEREAS, the Town of Palmyra has been sued by the New York Telephone Company in an Article 7 proceeding, AND WHEREAS, the New York Telephone Company has sued 12 other towns in the County and the principles in each law suit are the same and WHEREAS, the County Tax Coordinator is coordinating the defense of said law suit and . . . recommended an attorney who is an expert be retained, namely, Harris, Beach, Wilcox, Rubin and Levey, AND WHEREAS, the Board feels it is in the best interest of the Town to join in said lawsuit and retain Harris, Beach, Wilcox, Rubin and Levey, NOW THEREFORE BE IT RESOLVED, that Harris, Beach, Wilcox, Rubin and Levey are retained to represent the Town of Palmyra in the lawsuit by the New York Telephone Company.

At this time, Assessor Robert Kirchhoff was asked to come before the Board. The appointment of Roger Schwing as Assist. Real Property Tax Service Aide for a period of 1 year and the amount of time Mr. Kirchhoff considers necessary as a transition period was discussed. The problems and errors resulting from the Re-assessment, the amount of space and equipment needed for the Assessor's office were also discussed. Mr. Kirchhoff explained the filing system which will be set up. The Board agreed, as a temporary measure, that the Assessor's equipment, material, files, maps etc. are to be moved to the Town Office. Mr. Kirchhoff spoke to the Board in regard to the reference made in the press that he had resigned as Assessor. The Town Board and Mr. Kirchhoff discussed the details involved and the Clerk read a portion of the minutes of the June 23rd meeting which indicated that the Board gave the Assessor a vote of confidence and requested him to complete his term. Town Councilman Wideman moved that Robert Kirchhoff be appointed Temporary Assessor of the Town of Palmyra for a period of 6 months, appointment to be effective October 1st. Motion was seconded by Nelson Cook. Before a vote could be taken, Nelson Cook moved that the Town Board of the Town of Palmyra go into Executive session. Motion was seconded by David Lyon and passed with 4 ayes and no nos.

DISCUSSION  
RE: ASSESS.  
APPT.

MOTION TO  
APPT. ASSES  
(LOST)

MOTION  
TO HOLD  
EXEC. SESS.  
ION

MEETING  
RE-OPENED

MOTION TO  
APPROVE  
TRANS. OF  
FUNDS

The Town Board meeting was re-opened and continued with business of the Highway Department. A motion was offered by David Lyon to approve the following Transfer of Funds: the amount of \$174.02 from Contingent Account #A 1990.4 to Highway Signs Acct. # A 5650.2. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

A letter in regard to the bridge on Hogback Hill Road was read by the Clerk.

DISC. CONTD  
RE: LEONE  
BLDG. PERM.

The Board returned to the business of the Stop Work Order issued concerning the T. Leone building permit which was discussed earlier in the meeting. Mr. Leone and his attorney, Gary Morell, came before the Board to discuss this matter. Mr. Morell explained several reasons why work was started on this new residence with Conditional Approval only. Town Attorney Paul Rubery explained the legality of the Zoning Ordinance in regard to the issuing of a building permit after Conditional approval and Final approval and the reasons why for the past several years, the Planning Board has allowed applicants to start work with conditional approval only. Councilman Wideman also entered into the discussion, speaking in regard to the rights of neighbors when a new building is being constructed. He stated that the Public Hearing should be held before any work is started in order for residents in the area to be appraised of what is happening and to be given the opportunity to voice their opinion. Attorney Morell questioned the legality of the Stop Work Order and the reasons for issuing it. Supervisor Aplin stated that considering that it had been the policy in the past to allow construction to start with Conditional Approval, Mr. Leone should be allowed to continue and if the Board desired to change policy, it could be done and the Planning Board would be notified of such change. Town Councilman Cook stated that he too had been contacted by a neighbor. Considerable discussion continued on this matter.

The Board returned to the business of the Highway Department. The Clerk read a letter from the N.Y.S. Dept. of Transportation concerning Bridge Inventories and Inspections - All Bridge Program - Community Assistance, which in the case of the Town of Palmyra refers to the West Shore R.O.W. Bridge on Galloway Road. A motion was made by David Lyon, seconded by Nelson Cook to delegate the State Transportation Dept. to perform the functions of the Town of Palmyra under Sub-division 2 of Section 102 of the Highway Law to visit and

MOTION TO  
HAVE STATE  
DO INSPECT



and inspect above mentioned bldg. Motion passed with 4 ayes and no nos.

TN. ATT.  
REQ. POLICY  
FR. BD.

The Town Attorney requested that the Town Board return to the issue of Leoné's building permit and conditional approval of same. Mr. Rubery stated that the Board should clarify this issue immediately and set a temporary policy until the Sub-division rules can be studied and changed. He stressed that

MOTION TO  
ISSUE BLDG.  
PERM. ON  
FINAL APPR.  
ONLY  
10/27 -  
11/1/78 -

this should receive top priority. A motion was made by Bruce Wideman, seconded by Nelson Cook that the Town Clerk direct a letter to the Chairman of the Planning Board with a copy to the Zoning Enforcement Officer stating that commencing October 27th until January 1, 1978, no building permit will be issued by the Planning Board and the Zoning Officer except on Final Approval on a 1 lot sub-division. Motion passed with 4 ayes and no nos.

REPORT RE:  
WATER  
CONTRACT

Water - Chairman Nelson Cook reported that the latest information from the Village in regard to the Water Contract is that they will sell water to the Town at a rate of \$1.02 but the Town would be responsible for billing, reading of meters, installation of meters - plus, they would sell existing meters to the Town for approximately \$4450.00. Chairman Cook will offer a counter proposal.

MOTION TO  
POST LEGAL  
NOTICE FOR  
PUB. HRG.  
ON PROP.  
WATER DIST.

Councilman Cook reported on the Proposed Route 31E Water District and made the motion that following an informational letter, if no petition for Water is received from residents in Phase II & III of the Proposed District before November 20th, the Clerk is instructed to publish the legal notice for a Public Hearing to be held December 8th on the establishment of a Water District for residents in Phase I. Motion was seconded by David Lyon and passed with 4 ayes and no nos.

MOTION TO  
SIGN DIV.  
OF YOUTH  
CONTR.

Recreation - a motion was made by David Lyon and seconded by Bruce Wideman to authorize the signature of the Supervisor on the Division of Youth Contract. Motion was ~~seconded by Bruce Wideman~~ passed with 4 ayes and no nos.

MOTION TO  
POST NOTICE  
FOR BUDGET  
HEARING

Budget - Councilman David Lyon moved that the legal notice for the Public Hearing on the Preliminary Budget be posted for November 10th at 8:00 P.M. Motion was seconded by Nelson Cook and was carried with a vote of 4 ayes and no nos.

LETTER RE:  
LDFL. VIOL.

Landfill - a letter was read by Supervisor Aplin from N.Y.S. Dept. of Environmental Conservation in regard to an Inspection of the Refuse Disposal Area in the Town of Palmyra citing the following violations: (1) Unsatisfactory daily soil cover (2) Refuse protruding through completed areas (3) Improper spreading and compaction of refuse (4) Soil erosion on completed areas. Discussion followed with Nelson Cook questioning if the accumulated metal was still at the site. Supervisor Aplin replied that the scrap metal was still at the Landfill site. Mr. Cook suggested that a motion or resolution of the Town Board requiring the Operator to remove all scrap metal and other material not covered within 48 hours, the Landfill is being used as a junk site. Discussion followed and the Board suggested the Operator be contacted and suggestions of the Board be relayed to him.

The Town Attorney reported on the status of the Condemnation of the Penn Central property on Quaker Road.

MOTION TO  
APPROVE  
PURCHASE OF  
TIRES

Highway Chairman Lyon offered the motion to authorize approval to Mr. DeBrine for the purchase of tires. Motion was seconded by Bruce Wideman and passed with 4 ayes and no nos.

A Budget item for the Highway Department was discussed.

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

GENERAL FUND	VOUCHERS # 357-373	\$2889.56
PART TOWN FUND	" # 57	195.20
HIGHWAY ITEM I & IA	" # 76 - 79	5046.11
HIGHWAY ITEM III	" # 171-175A,B	680.71
HIGHWAY ITEM IV	" # 52-53	3393.66
FEDERAL REVENUE SHARING	" # 49	4.70
TOTAL		<u>\$12209.94</u>

MOTION TO  
PAY BILLS

The motion to adjourn this meeting was offered by Nelson Cook, second-  
ed by David Lyon and passed with 4 ayes and no nos.

MOTION TO  
ADJOURN

Respectfully submitted,

Betty B. Stubbings  
Betty B. Stubbings, Town Clerk

November 10, 1977

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. Thursday, November 10, 1977 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook, Town Highway Superintendent James DeBrine, Zoning Officer Francis Toole, Temp. Assessor Robert Kirchhoff, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were Mayor K. Davin, Village Trustee Mary Lou Wilson, Lois Lynch, Ann Tyler, Paul Burkhardt and Sally Lynch.

COMMUNICATIONS  
LIBRARY  
THANK YOU

The following communications were read by the Clerk: (1) a letter from the King's Daughters Free Library extending thanks for the Anti-Recession Funds (2) a letter from the Village of Palmyra citing another reason for the installation of Master Meters in the Town Water Districts - an open hydrant on Canandaigua Road caused the loss of approximately 75,000 gallons of water on October 30th about 2:30 A.M..

VILLAGE RE:  
MASTER  
METERS

Committee reports were as follows:

LEONE  
APPROVAL

Zoning - Nelson Cook questioned Mr. Toole on the status of the Leone approval. Zoning Officer Toole reported that Final Approval was granted to Mr. Leone at the November 8th Planning Board meeting. Future items concerning Zoning are (1) a request to build a church on Canandaigua Road, Mr. Asbury presented preliminary plans at the November Planning Board meeting and will have the Public Hearing at the December 13th meeting. (2) a Public Hearing will be held by the Zoning Board of Appeals on November 21st to hear the request of Andy Mincer for Lot Line Variances on property on East Foster St. Highway - Town Highway Superintendent DeBrine reported that the signs required under the Federal Highway Safety Act and replacement signs are up, waiting for inspection.

HIGHWAY  
SIGNS  
FED. HWY.  
SAF. ACT

There has been no action as yet in regard to the bridge on Hogback Hill Road.

Mr. DeBrine wished the Board and persons present to know that New York State is taking over Snow and Ice Control on the State Highways in the Town of Palmyra this year.

OPEN  
DITCHING  
ON HAMMOND RD.

Nelson Cook questioned Mr. DeBrine concerning a request from some residents on Hammond Road about having some open ditching done. Mr. DeBrine recalled that there had been a request presented to the County prior to this time and he stated he would contact the Wayne County Highway Department on this matter.

PLOWING  
AGREEMENT  
W/ VILLAGE

Mr. Cook also asked if there was an agreement with the Village concerning the plowing and Mr. DeBrine replied that it was just a verbal agreement between himself and Ray Smith.

PUBLIC HRG.  
RE: GEN. REV.  
SHARING

At 7:45 P.M., Supervisor Aplin opened the Public Hearing on the considered expenditures of General Revenue Sharing Funds estimated to be \$43,002 for the year 1978 with budgeted use of \$25,000 for Environmental Protection and \$18,002 for Public Safety. The Proof of Publication was read by the Clerk. Katherine Davin, Mayor of the Village of Palmyra, read and presented a Formal Petition to the Town Board requesting relief from Item III & IV of the Highway Budget for 1978. Supervisor Aplin questioned the presenting of this Petition at this time. Mayor Davin apologized for misunderstanding which hearing was being held and stated she would be happy to read it at the Budget Hearing. No one spoke in favor of or against these expenditures. The Hearing

**AFFIDAVIT OF PUBLICATION**

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

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

November 4, 1977

*Elizabeth M. Main*  
 Foreman of the Publisher

Subscribed and sworn to before me

this *4* day of *Nov* 19*77*

*Michael J. Deacon*  
 Notary Public

Fee: \$ 14.53

NOTICE OF PUBLIC HEARING  
 PRELIMINARY BUDGET  
 TOWN OF PALMYRA  
 NOTICE IS HEREBY GIVEN  
 THAT the preliminary Budget of the Town of Palmyra for the Fiscal Year beginning January 1, 1978, has been compiled and filed in the office of the Town Clerk at 204 East Main Street, Palmyra, New York where it is open to the inspection by any interested person at all reasonable hours. Further notice has hereby been given that the Town Board of the Town of Palmyra will meet and review said preliminary budget and hold its public hearing at the Town Clerk's office at the Town of Palmyra, New York, on the following dates:  
 1. Monday, November 14, 1977, 7:00 P.M.  
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 375. Thursday, November 22, 1978, 7:00 P.M.  
 376. Friday, November 23, 1978, 7:00 P.M.  
 377. Saturday, November 24, 1978, 7:00 P.M.  
 378. Sunday, November 25, 1978, 7:00 P.M.  
 379. Monday, November 26, 1978, 7:00 P.M.  
 380. Tuesday, November 27, 1978, 7:00 P.M.  
 381. Wednesday, November 28, 1978, 7:00 P.M.  
 382. Thursday, November 29, 1978, 7:00 P.M.  
 383. Friday, November 30, 1978, 7:00 P.M.  
 384. Saturday, December 1, 1978, 7:00 P.M.  
 385. Sunday, December 2, 1978, 7:00 P.M.  
 386. Monday, December 3, 1978, 7:00 P.M.  
 387. Tuesday, December 4, 1978, 7:00 P.M.  
 388. Wednesday, December 5, 1978, 7:00 P.M.  
 389. Thursday, December 6, 1978, 7:00 P.M.  
 390. Friday, December 7, 1978, 7:00 P.M.  
 391. Saturday, December 8, 1978, 7:00 P.M.  
 392. Sunday, December 9, 1978, 7:00 P.M.  
 393. Monday, December 10, 1978, 7:00 P.M.  
 394. Tuesday, December 11, 1978, 7:00 P.M.  
 395. Wednesday, December 12, 1978, 7:00 P.M.  
 396. Thursday, December 13, 1978, 7:00 P.M.



**AFFIDAVIT OF PUBLICATION**

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

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

October 28, 1977

*Elizabeth M. Main*  
Foreman of the Publisher

Subscribed and sworn to before me

this 1 day of Nov 1977

*Michael N. Stoyan*  
Notary Public



Fee: \$ 9.12 MICHAEL N. STOYAN  
WAYNE COUNTY CLERK'S OFFICE  
PALMYRA

was closed at 7:55 P.M..

At 8:00 P.M. the Public Hearing for the Preliminary Budget of the Town of Palmyra was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. Mayor K. Davin again presented the Petition, read earlier, which asks the Town Board that the Village of Palmyra be relieved of Items III & IV of the Town Budget. Village Trustee Marylou Wilson questioned the amounts in Item III & IV. Supervisor Aplin asked if they had looked at the Preliminary Budget and noted that the Village is exempt from Item III. The Supervisor then explained the amounts in Item III and the use of \$25,000 from Federal Revenue Funds. In figuring the amount to be raised by taxes in Item IV, 45% of that figure is raised by Village taxpayers. Mayor Davin asked to question the Assessor in regard to the difference in tax rates in past years as compared to this year's much lower rate. Mr. Kirchhoff explained that the reason for this in part was the new re-assessment which created a larger assessment value, thereby lowering the tax rate. Paul Burkhardt questioned when a tax rate would be available. Councilman Wideman replied that an estimated rate at this time is \$1.36 for the Village and \$3.26 for the Town. Paul Burkhardt also questioned if the amount in the Budget for Assessor's salary was for 1 or 2 persons. Mr. Wideman replied that it was for a Temporary Assessor and an Assistant Real Property Tax Service Aide. He also explained that it is a general rule to pay the Assessor an amount per parcel and the Board has found that the Assessor in the Town of Palmyra has been underpaid. The Assessor's salary is to be \$5,000 for a 6 months period. Paul Burkhardt asked why the Supervisor's salary was raised this year when he had refused to raise the salary in the past and Mr. Wideman responded that the increase in the Supervisor's salary was a Board decision based on research and figuring an average of salaries in the County. Some calculating was done by the Assessor, the Town Attorney and Councilman Wideman to determine an approximate rate if Item IV was also dropped from the Village. Supervisor Aplin declared the hearing closed at 8:45 P.M..

PUBLIC  
HEARING RE  
BUDGET  
OPENED

HEARING  
CLOSED

The Board returned to the business of the regular meeting and continued with the following Committee reports -

MEETING  
CONT'D

Water - Mayor Davin stated she has a committee working on the Contract and she and Nelson Cook, Chairman, stated there is nothing new to report in regard to the Water Contract. Mr. Cook also stated that he contacted Town Engineer Tony Malone and the study for the East Palmyra area is not yet completed.

WATER

Assessment - Chairman Bruce Wideman made the motion to appoint Robert Kirchhoff as Temporary Assessor of the Town of Palmyra for a period of 6 months, appointment effective October 1, 1977. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos. Mr. Wideman reported on equipment (cabinets) which have been ordered and are expected to be delivered Monday, November 14th - folders are ordered but will not arrive for a couple of weeks. The Committee requested the Board to consider the possibility of finding other quarters for the Assessor's office. Mr. Kirchhoff spoke to the Board on the amount of space needed and type of working space which is desirable. Considerable discussion followed on the subject of space outside the Town Office for the Assessor and the costs involved.

ASSESSMENT  
MOTION TO  
APPT. R.  
KIRCHHOFF  
TEMP. ASSESSOR

DISCUSSION  
RE: EQUIP. &  
SPACE

Town Councilman Edwin Wheeler left the meeting at 9:00 P.M..

A suggestion from Mr. Wideman that the Board should consider increasing the appropriation for the Assessor's Account, led to a discussion on possible use of Anti-Recession Funds for rent, heat, utilities and equipment for the Assessor's Office. Discussion continued with Nelson Cook questioning the change in the original plan to make space in the Town Office for the Assessor and with Robert Kirchhoff stressing the need for ample space preferably outside the present Town Office.

UNFIN. BUS. Under unfinished business, the Fire Contracts with the East Palmyra Fire FIRE CONTR Department and the Port Gibson Fire Department were discussed.

UNEMPL. INSUR. The Supervisor brought to the Board's attention the possibility of the Town joining the County in the hiring of consultants to operate an Unemployment Insurance program for the municipalities in Wayne County. A motion MOTION TO was made by Nelson Cook, seconded by Bruce Wideman that the Town of Palmyra JOIN CO. will join the other Towns in the County in hiring consultants to operate IN HIRING an Unemployment Insurance Program. Motion passed with 3 ayes and no nos. CONSULTANT

NEW BUSINESS Under new business, Nelson Cook spoke to the Board members concerning DISC. RE: the recent plane crash near the Palmyra Airport. He suggests that some contact PLANE should be made with the airport officers stressing the need to take CRASH every precaution in take-offs and landings. The airport does have rules in regard to take-offs and landings so that turns are made over least populated areas. Mr. Cook suggested a letter be sent by the Supervisor to the Palmyra Airport insisting that the rules be strictly enforced and alerting pilots SUGGESTION of residential areas, possibly with maps posted outside the buildings in TO SEND prominent places. Mr. Cook would like the Board to receive confirmation that LETTER TO the officers of the Airport will take precautionary measures. OFFICIALS AT AIRPORT

QUESTION RE: Board members questioned the Voucher submitted for payment of \$300 to VOUCHER the Village for use of rooms for Registration and Election. This will be FROM VILL. checked out before payment.

MOTION TO The motion to pay the following bills was made by Bruce Wideman, second- PAY BILLS ed by Nelson Cook and passed with 3 ayes and no nos:

GENERAL FUND	VOUCHERS #374 - 422	\$4456.10
PART TOWN FUND	" # 58 - 59	233.32
HIGHWAY ITEM I & IA	" # 80	26.27
HIGHWAY ITEM III	" # 176 - 184	4029.85
FEDERAL REVENUE SHARING	" # 10 - 11	2259.12
NORTH WATER DISTRICT	" # 25	4653.56
SOUTH WATER DISTRICT	" # 13	2074.22
TOTAL		<u>\$17732.44</u>

The motion to adjourn this meeting to Monday, November 21, 1977 at 7:30 P.M. was made by Nelson Cook, seconded by Bruce Wideman and passed with 3 ayes and no nos.

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

November 21, 1977

135

The adjourned meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. Monday, November 21, 1977 in the Park & Club Rooms, East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman, Edwin Wheeler, Nelson Cook, Town Highway Superintendent James DeBrine, Assessor Robert Kirchhoff and Town Clerk Betty Stubbings. Interested persons attending were Paul Burkhardt and Paul Moderacki.

MEETING  
OPENED

The motion to dispense with the reading of and to approve as submitted the minutes of the October 13th Town Board meeting was made by Bruce Wideman, seconded by Edwin Wheeler. Before voting on the motion, Supervisor Aplin read a paragraph from Page 126, a part of the minutes of the October 13th meeting, in regard to a report on the Landfill. He wished it to be a matter of record that violations referred to in that paragraph were brought to the Board's attention on an informal basis prior to that date. The motion passed with 4 ayes and no nos.

MOTION TO  
APPROVE  
MINUTES

Town Councilman David Lyon joined the meeting at 7:45 P.M..

The following communications were read by the Clerk (1) a letter from the Association of Towns in regard to dues for 1978 and information concerning the Association of Towns Meeting. The Board requested the Clerk to send a letter to the Chairman of the Planning Board and the Chairman of the Zoning Board of Appeals urging them to have one member from each Board attend this Annual meeting in New York City at Town expense. (2) a letter from Harris, Beach, Wilcox, Rubin and Levy with the statement enclosed for services rendered. Mr. Kirchhoff requested a copy of this communication. (3) a letter from "The Hartford" in regard to Notice of Claim concerning the estate of R. Downey vs. Town of Palmyra (4) a letter from M. Granger, 217 Canandaigua Street in reference to increasing the exemption for Senior Citizens to the maximum - \$7200.

COMMUNICATIONS

ASSOC. OF  
TOWNS

EXEMPTION  
FOR SR.CIT.

Committee reports were as follows:

COMMITTEES

ZONING - Zoning Officer Francis Toole was not present, therefore, there was no report.

ASSESSMENT - Chairman Bruce Wideman asked Robert Kirchhoff to speak to the Board concerning space for an Assessor's office. Mr. Kirchhoff reported that in considering the re-aligning of the Assessor's office, having adequate space is an important factor. He looked at several possible locations which could be rented and the Committee has looked at a number of available places which would adequately serve the purpose, such as the Palmyra Professional Building, Johnson Building (over the Town Office), rooms over the Palmyra Florist. Councilman Lyon suggested continuing with the original plan of using space in the Town Office as a temporary situation. Bruce Wideman thought separate quarters, using funds available from Anti-Recession Funds, would be the best solution. Mr. Kirchhoff explained in detail the material used and the space needed to operate the Assessor's office efficiently and he recommended highly the 2 back rooms over the Palmyra Florist. Mr. Wideman also reported that some space might become available in the Village Hall after the new Fire Hall is built. An estimated cost for renting and furnishing space for an Assessor was figured at \$2,000. Councilman Cook stated that he thought the Board should consider the recommendations from Mr. Kirchhoff in regard to the 2 rooms over the Palmyra Florist. A motion was offered by Nelson Cook to take the recommendations from Robert Kirchhoff and proceed to rent the 2 back rooms

Assessment

Assess.  
Office

Motion to  
Rent space



Motion  
cont'd

over the Palmyra Florist for the use of the Assessor and the Assistant Real Property Tax Service Aide for a period of 1 year and to allocate Anti-Recession Funds in the amount of \$2,000 for expenses on this project. Motion was seconded by Bruce Wideman. Town Councilman Edwin Wheeler requested that it be fully understood that he would be absolved of any conflict of interest because he owns the building which contains the Palmyra Florist and the rooms being rented by the Town. Mr. Kirchhoff stated that there had been no discussion between himself and Mr. Wheeler and he also wanted it understood that there was no conflict of interest. Councilman Lyon questioned the Senior Citizens being able to go up the stairs to the Assessor's Office. Mr. Kirchhoff responded that those who cannot make the stairs have been contacted at their homes in the past. He could see no problem in that area. Motion passed with Roy Aplin, Bruce Wideman and Nelson Cook voting aye, Edwin Wheeler abstaining and David Lyon voting no.

Motion  
passedHIGHWAYBridge on  
Hogback H.  
Rd.

HIGHWAY - The bridge on Hogback Hill Road again came before the Board for discussion. Supervisor Aplin sent another letter to Wayne County Highway Superintendent Philip Rice on November 15th requesting information in regard to the re-opening. Town Highway Superintendent James DeBrine reported that he had talked with Mr. Rice concerning this matter. It has been determined that the motorist involved does not have insurance but Mr. Rice is confident that the bridge will be fixed and will not be abandoned.

Snow & Ice  
Control  
Audit  
Disallow-  
ance

A communication from the Wayne County Department of Highways in regard to Snow & Ice Control Audit Disallowance in the amount of \$4,068.90 to the State and \$2,093.85 to Wayne County, payable over 2 winters, 77/78 and 78/79 led to considerable discussion on this item of business. Many questions were asked by the Board of Mr. DeBrine. He suggested that the Supervisor make contact with the Supervisors in others towns who have been audited in regard to Snow & Ice Control to find out if any of those Towns intend to question the payments. Mr. DeBrine explained that the Town of Palmyra contracts with the County and the County in turn contracts the Town's services with the State. Supervisor Aplin will look into this matter and report back to the Board.

Agreement  
w/Village  
Re: Plow-  
ing

Town Councilman Cook questioned the exact agreement between the Town and Village in regard to plowing - what streets the Town does. Mr. DeBrine stated there is only a verbal agreement between Ray Smith and himself.

Disc. re:  
Bidding  
Heating Oil

David Lyon questioned the Highway Superintendent on one of the bills for Fuel Oil. The Board discussed the advantage of putting this item out for bid. The Board requested the Bookkeeper to figure the heating oil bills for total number of gallons and the price in order to have the information necessary to check into the possibility of bidding.

WATER

WATER - Chairman Nelson Cook reported that the study for a water supply for the East Palmyra-Port Gibson Road area and the study for a supply from other areas won't be finished until after the first of the year.

Water  
Contract  
Disc.

On the Contract with the Village for water, Mr. Cook and Mr. Wheeler met with Village Trustee Dan Congdon. The last proposal of the Village is a rate of \$1.05 per 100 cubic feet, Master Meters to be installed - one in November of 1978, the second in November of 1979, the rate would become effective immediately and the Village would retain the reading of the meters and the billing. Mr. Cook feels there is more information needed and he is still not completely satisfied with this latest offer from the Village. Following considerable discussion and several suggestions, it was decided to send a letter to the Village stating the Town's position. Mr. Cook is to contact the Town Attorney and work with him on composing the letter.

The Clerk reminded the Board members about the Public Hearing on the Proposed Water District - Route 31 E., which will be held Thursday, December 8th at 7:30 P.M..

PUBLIC HRC.  
PROP. WATER  
DIST.

The Fire Contracts with East Palmyra Fire Department and Port Gibson Fire Department were discussed. A motion was made by Nelson Cook, seconded by David Lyon to post the legal notices for the Public Hearings on the Fire Contracts, the hearing for East Palmyra to be held on December 8th at 8:30 P.M. and the hearing for Port Gibson on December 8th at 8:45 P.M.. Motion was passed with 5 ayes and no nos.

MOTION TO  
POST HRCs.  
FOR FIRE  
CONTRACTS

JOINT RECREATION COMMISSION - Nelson Cook was questioned on the status of the Proposed Community Center and how the pledges are coming in up to this point. This will reportedly be a \$300,000 project when finished.

Town Councilman Wideman spoke to the Board concerning the Restoration Project of the Old Erie Canal. The last 6 months the Village of Palmyra has been sponsoring this project but the funding will run out as of November 30th. He suggested that the Town of Palmyra consider seeking a grant to use CETA people to continue this project. Supervisor Aplin reported that the County has a project under the CETA Program using troubled youths and he suggested that Mr. Wideman check into this possibility.

CANAL  
RESTORATION  
PROJECT

UNFINISHED BUSINESS - Supervisor Aplin brought to the Board's attention the need of a Board Resolution to take \$18 from the Contingency Fund to pay Reed Assoc., the consultants who are handling the Unemployment Insurance Program for the County. The following Resolution was offered by Bruce Wideman, seconded by David Lyon and passed with 5 ayes and no nos:

RESOL. RE  
UNEMPLOY.  
INSUR.

WHEREAS, the Town Board of the Town of Palmyra at their meeting on November 10, 1977 unanimously passed a motion to join the other Towns in Wayne County in hiring consultants, namely Reed Associates, to operate an Unemployment Insurance Program for the County of Wayne, AND WHEREAS, the Town of Palmyra has no provisions in the 1977 Budget to pay for these services, NOW THEREFORE BE IT RESOLVED, that \$18.00 be transferred from Contingency Fund Account # A 1990.4 to General Fund Unemployment Insurance Account # A 9050.8 in the amount of \$17.10 and to the Part Town Fund Unemployment Insurance Account # B 9050.8 in the amount of \$.90 to cover the cost of the services contracted for.

TRANS.  
OF FUNDS

Board members questioned a bill from Van Parys Associates which was not accompanied by a signed voucher and the voucher from the Village of Palmyra for use of rooms for the year. Supervisor Aplin will send a letter asking the Village Clerk to specify amounts for Election purposes and use of the Justice Rooms.

The Board discussed briefly the request of Mary Granger to raise the exemption for Senior Citizens. Mr. Kirchhoff spoke to the Board on this matter from the Assessor's viewpoint. He suggested some research on this. The decision does not have to be immediate because the deadline for Town Residents is May 1st.

REQUEST  
RE: SR. CIT  
EXEMPTIC

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

MOTION TO  
PAY BILLS

GENERAL FUND	VOUCHERS #438 - 466	\$3677.98
PART TOWN FUND	" # 62	9.69
HIGHWAY ITEM I	" # 82	562.80
HIGHWAY ITEM III	# # 191 - 208	2023.76
HIGHWAY ITEM IV	" # 580- 59A,B	8689.16
FEDERAL REVENUE SHARING	" # 13	2250.00
NORTH WATER DISTRICT	# 26	78.00
SOUTH WATER DISTRICT	" # 14	42.00
TOTAL		<u>\$17,333.39</u>

BUDGET - The following Resolution was offered by Bruce Wideman seconded by Edwin Wheeler and was carried with a vote of 5 ayes and no nos:

RESOLUTION  
EXEMPT VILL-  
AGE FROM ITEM III

WHEREAS, the Town Board of the Town of Palmyra in preparing the Budget for the Town of Palmyra for 1978 has elected to make Highway Item #3 a Part Town charge and exempt the property located within the Village of Palmyra from being taxed because of the items included in Highway Item III, NOW THEREFORE BE IT RESOLVED, that the Real Property in the Village of Palmyra be exempt from Highway Item III for the year 1978.

RESOLUTION  
EXEMPT VILL-  
AGE FROM ITEM IV

A Resolution was offered by Edwin Wheeler, seconded by Nelson Cook to also exempt the Village of Palmyra from Highway Item IV. Discussion followed with the Resolution being defeated with a vote of 1 aye - Edwin Wheeler and 4 nos - David Lyon, Roy Aplin, Nelson Cook and Bruce Wideman.

MOTION TO  
ADOPT BUD-  
GET - 1978

The motion to adopt the 1978 Preliminary Budget for the Town of Palmyra was made by David Lyon, seconded by Nelson Cook and passed with 4 ayes and 1 no - Edwin Wheeler voting no.

MOTION TO  
ADJOURN-

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

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clergy

Following is a copy of the summary of the Annual Budget for the Town of Palmyra for the year 1978:

<u>FUND</u>	<u>APPROPRIATIONS</u>	<u>LESS EST. REV.</u>	<u>LESS UNEXPENDED BALANCE</u>	<u>Amount to BE RAISED BY TAX</u>
General	\$191111.37	\$115800.00	\$25000.00	\$ 50311.37
General Outside Village	22925.00	3125.00	15000.00	4800.00
Highway: Repairs & Improve.	90075.26	25190.00	20000.00	44885.26
Bridges	3100.00		1720.06	1379.94
Machinery	56657.04	37735.00	15000.00	3922.04
Snow & Misc.	103702.16	19750.00	25000.00	58952.16
Improvement Program	34256.98	5627.00		28629.98

SPECIAL DISTRICTS  
WATER DIST.

NORTH	20750.40	20750.40	NONE	NONE
SOUTH	9841.74	9841.74	NONE	NONE

FIRE DISTRICTS:

PALMYRA - RURAL	18000.00	NONE	NONE	18000.00
EAST PALMYRA	5000.00	NONE	NONE	5000.00
PORT GIBSON	1300.00	NONE	NONE	1300.00
<b>TOTALS</b>	<b>556719.95</b>	<b>237819.14</b>	<b>101720.06</b>	<b>217180.75</b>

<u>ACCOUNTS</u>	<u>ACTUAL 1977</u>	<u>TENTATIVE BUDGET 1978</u>	<u>PRELIMINARY BUDGET 1978</u>	<u>ADOPTED 1978</u>
<u>ASSESSORS</u>				
Personal Services	5000.00		9500.00	9500.00
Contractual Exp.	1520.00		1650.00	1650.00
Equipment	484.00		1050.00	1050.00
Total	7004.00		12200.00	12200.00
<u>TOWN CLERK</u>				
Personal Services	6250.00	6500.00	6500.00	6500.00
Equipment	800.00	900.00	900.00	900.00
Contractual Exp.	500.00	600.00	600.00	600.00
Total	7550.00	8000.00	8000.00	8000.00
<u>ATTORNEY</u>				
Personal Services	3800.00	3800.00	3800.00	3800.00
Equipment	0	0	0	0
Contractual Exp.	1500.00	2000.00	2000.00	2000.00
Total	5300.00	5800.00	5800.00	5800.00
<u>ENGINEER</u>				
Contractual Exp.	6000.00	5000.00	5000.00	5000.00
Total	6000.00	5000.00	5000.00	5000.00
<u>ELECTIONS</u>				
Personal Services	3200.00	3200.00	3200.00	3200.00
Equipment	3000.00	2500.00	2500.00	2500.00
Contractual Exp.	800.00	800.00	800.00	800.00
Total	7000.00	6500.00	6500.00	6500.00
<u>TOWN BOARD</u>				
Personal Services	4800.00	4800.00	4800.00	4800.00
Contractual Exp.	1700.00	1800.00	1800.00	1800.00
Total	6500.00	6600.00	6600.00	6600.00



<u>JUSTICES</u>				
Personal Services	7200.00	7200.00	7200.00	7200.00
Contractual Exp. (Court Clerk)	1800.00	1800.00	1800.00	1800.00
Total	9000.00	9000.00	9000.00	9000.00

<u>SUPERVISOR</u>				
Personal Services	4400.00	5000.00	6000.00	6000.00
Bookkeeper	2300.00	2700.00	2700.00	2700.00
Contractual Exp.	600.00	600.00	900.00	900.00
Total	7300.00	8300.00	9600.00	9600.00

<u>TAX COLLECTOR</u>				
Personal Services	1400.00	1800.00	1800.00	1800.00
Contractual Exp.	650.00	700.00	700.00	700.00
Total	2050.00	2500.00	2500.00	2500.00

<u>BUILDINGS</u>				
Contractual Exp.	3500.00	3900.00	3900.00	3900.00
Total	3500.00	3900.00	3900.00	3900.00

<u>SPECIAL ITEMS</u>				
Unallocated Ins.	14000.00	15000.00	15000.00	15000.00
Municipal Assn. Dues	250.00	275.00	275.00	275.00
Contigent Account	11500.00	6500.00	6500.00	6500.00
Total	25750.00	21775.00	21775.00	21775.00

TOTAL GENERAL				
GOVT. SUPPORT	\$86954.00	\$77375.00	\$90875.00	\$90875.00

<u>PUBLIC SAFETY</u>				
<u>CONTROL OF ANIMALS</u>				
Dog Warden & Enumerator				
Contractual Exp.	950.00	950.00	950.00	950.00
TOTAL PUBLIC SAFETY	950.00	950.00	950.00	950.00

<u>HEALTH</u>				
<u>AMBULANCE</u>				
Contractual Exp.	4500.00	4500.00	4500.00	4500.00
TOTAL HEALTH	4500.00	4500.00	4500.00	4500.00

<u>TRANSPORTATION</u>				
<u>SUPT. OF HIGHWAYS</u>				
Personal Services	14962.50	15561.37	15561.37	15561.37
Contractual Exp.	250.00	250.00	250.00	250.00
Total	15212.50	15811.37	15811.37	15811.37

<u>GARAGE</u>				
Equipment	2000.00	100.00	100.00	100.00
Contractual Exp.	13000.00	9400.00	6400.00	6400.00
Total	15000.00	9500.00	6500.00	6500.00

<u>HIGHWAY SIGNS</u>				
Contractual Exp.	1000.00	1000.00	1000.00	1000.00
TOTAL TRANSPORTATION	31212.50	26311.37	23311.37	23311.37

<u>ECONOMIC ASSISTANCE AND OPPORTUNITY</u>				
<u>CETA VI - PUBLIC EMPLOYMENT PROGRAM</u>				
Personal Services	7280.00	7800.00	7800.00	7800.00
<u>CETA II - PUBLIC EMPLOYMENT PROGRAMS</u>				
Personal Services	7280.00	7800.00	7800.00	7800.00
<u>VETERANS SERVICES</u>				
Contractual Exp.	400.00	400.00	400.00	400.00
TOTAL ECONOMIC ASSISTANCE AND OPPORTUNITY	14960.00	16000.00	16000.00	16000.00

GENERAL FUND APPROPRIATIONS - TOWN OUTSIDE VILLAGE

GENERAL GOVERNMENT SUPPORT

SPECIAL ITEMS

Contingent Acct. 1000.00 1000.00 1000.00 1000.00

PUBLIC SAFETY

Street Lighting 2600.00 2600.00 2600.00 2600.00

HEALTH

BD. OF HEALTH

Personal Services 600.00 600.00 600.00 600.00

Contractual Exp. 50.00 50.00 50.00 50.00

Total 650.00 650.00 650.00 650.00

REGISTRAR OF VITAL

STATISTICS

Personal Services 100.00

CULTURE- RECREATION

YOUTH PROGRAMS

Contractual Exp. 7500.00 7500.00 7500.00 7500.00

LIBRARY

Contractual Exp. 3500.00 7318.00 4000.00 4000.00

HOME AND COMMUNITY SERVICES

ZONING

Personal Services 2300.00 2300.00 2300.00 2300.00

Contractual Exp. 2950.00 2950.00 2950.00 2950.00

PLANNING

Personal Services 250.00 250.00 250.00 250.00

Contractual Exp. 250.00 250.00 250.00 250.00

UNDISTRIBUTED EMPLOYEE BENEFITS

State Retirement 500.00 500.00 500.00 500.00

Social Security 150.00 175.00 175.00 175.00

Unemployment Ins. 250.00 250.00 250.00 250.00

Total 650.00 675.00 675.00 675.00

TOTAL GENERAL FUND - TOWN OUTSIDE VILLAGE - APPROPRIATIONS

21750.00 25493.00 22925.00 22925.00

GENERAL FUND ESTIMATED REVENUES - TOWN OUTSIDE VILLAGE

LOCAL SOURCES

Registrar 75.00 75.00 75.00 75.00

Zoning Fees 200.00 200.00 200.00 200.00

Planning Bd. Fees 200.00 100.00 100.00 100.00

Interest & Earnings 800.00 900.00 900.00 900.00

Auto/Junk Licenses 75.00 50.00 50.00 50.00

Total 1350.00 1325.00 1325.00 1325.00

STATE AID

Youth Programs 1800.00 1800.00 1800.00 1800.00

TOTAL ESTIMATED REVENUES - GENERAL FUND - TOWN OUTSIDE VILLAGES

3150.00 3125.00 3125.00 3125.00

ESTIMATED UNEXPENDED BALANCE

10000.00 15000.00 15000.00 15000.00

HIGHWAY FUND APPROPRIATIONS - REPAIRS AND IMPROVEMENTS - ITEM I

GENERAL REPAIRS

Personal Services 19850.80 37248.48 37248.48 37248.48

Contractual Exp. 46741.72 39867.28 39867.28 39867.28

Total 66592.52 77115.76 77115.76 77115.76

<u>CULTURE - RECREATION</u>				
<u>HISTORIAN</u>				
Personal Services	125.00	125.00	125.00	125.00
Contractual Exp.	125.00	125.00	125.00	125.00
Total	250.00	250.00	250.00	250.00
<u>CELEBRATIONS</u>				
Contractual Exp.	75.00	75.00	75.00	75.00
<u>PROGRAMS FOR AGING</u>				
Contractual Exp.	500.00	600.00	600.00	600.00
<u>TOTAL CULTURE - RECREATION</u>				
	825.00	925.00	925.00	925.00
<u>HOME AND COMMUNITY SERVICES</u>				
<u>REFUSE AND GARBAGE</u>				
Contractual Exp.	40000.00	50000.00	30000.00	30000.00
<u>CEMETERIES</u>				
Contractual Exp.	500.00	500.00	500.00	500.00
<u>TOTAL HOME AND COMMUNITY SERVICES</u>				
	40500.00	50500.00	30500.00	30500.00
<u>UNDISTRIBUTED EMPLOYEE BENEFITS</u>				
State Retirement	10000.00	10000.00	10000.00	10000.00
Social Security	4000.00	4500.00	4500.00	4500.00
Disability Ins.	50.00	50.00	50.00	50.00
Unemployment Ins.			4000.00	4000.00
Hosp. & Med. Ins.	5000.00	5500.00	5500.00	5500.00
Total	19050.00	20050.00	24050.00	24050.00
<u>TOTAL GENERAL FUND APPROPRIATION</u>				
	198951.50	196611.37	191111.37	191111.37
<u>OTHER TAX ITEMS</u>				
Interest and penalties on				
Real Property Taxes	500.00	500.00	500.00	500.00
<u>DEPT. INCOME</u>				
Clerk Fees	1000.00	1000.00	1000.00	1000.00
Garbage Removal &				
Disposal Charges	11000.00	11000.00	11000.00	11000.00
CERA Program	14560.00	15600.00	15600.00	15600.00
<u>Federal Revenue</u>				
(Refuse & Garbage)	25000.00	25000.00	25000.00	25000.00
<u>USE OF MONEY AND PROPERTY</u>				
Interest & Earnings	2300.00	2500.00	2500.00	2500.00
<u>LICENSES AND PERMITS</u>				
Bingo Licenses	500.00	500.00	500.00	500.00
Dog Lic. Apport.	1600.00	1700.00	1700.00	1700.00
<u>FINES AND FORFEITURES</u>				
Forfeited Bail & Fines	3000.00	3000.00	3000.00	3000.00
<u>SALES OF PROPERTY AND</u>				
<u>COMPENSATION FOR LOSS</u>				
Sales of Real Prop.	10000.00			
<u>TOTAL ESTIMATED REVENUES</u>				
FROM LOCAL SOURCES	69460.00	60800.00	60800.00	60800.00
<u>STATE AID</u>				
Per Capita	46000.00	48000.00	48000.00	48000.00
Mortgage Tax	9000.00	7000.00	7000.00	7000.00
<u>TOTAL ESTIMATED REVENUES</u>				
FROM STATE AID	55000.00	55000.00	55000.00	55000.00
<u>TOTAL ESTIMATED REVENUES - GENERAL FUND</u>				
	124460.00	115800.00	115800.00	115800.00
<u>ESTIMATED UNEXPENDED BALANCE</u>				
	20000.00	5000.00	25000.00	25000.00

UNDISTRIBUTED EMPLOYEE BENEFITS

State Retirement	7523.75	7000.00	7000.00	7000.00
Social Security	3100.00	3100.00	3100.00	3100.00
Disability Ins.	150.00	150.00	150.00	150.00
Medical Ins.	1437.68	2709.50	2709.50	2709.50
<b>TOTAL EMPLOYEE BENEFITS</b>	<b>12211.42</b>	<b>12959.50</b>	<b>12959.50</b>	<b>12959.50</b>
<b>TOTAL HIGHWAY APPROPRIATIONS ITEM I</b>	<b>78803.95</b>	<b>90075.26</b>	<b>90075.26</b>	<b>90075.26</b>

HIGHWAY FUND APPROPRIATIONS - BRIDGES - ITEM II

<u>BRIDGES</u>				
Contractual Exp.			3100.00	3100.00
<b>TOTAL HIGHWAY APPROPRIATIONS BRIDGES - ITEM II</b>			<b>3100.00</b>	<b>3100.00</b>

HIGHWAY FUND APPROPRIATIONS - MACHINERY - ITEM III

<u>MACHINERY</u>				
Personal Services	3057.41	3107.04	3107.04	3107.04
Equipment	33000.00	25550.00	25550.00	25550.00
Contractual Exp.	27000.00	28000.00	28000.00	28000.00
<b>Total MACHINERY</b>	<b>63057.41</b>	<b>56657.04</b>	<b>56657.04</b>	<b>56657.04</b>

HIGHWAY FUND APPROPRIATIONS - SNOW & MISC. - ITEM IV

<u>MISCELLANEOUS (BRUSH AND WEEDS)</u>				
Personal Services	7252.81	6107.04	6107.04	6107.04
Contractual Exp.	800.00	800.00	800.00	800.00
<b>Total</b>	<b>8052.81</b>	<b>6907.04</b>	<b>6907.04</b>	<b>6907.04</b>

<u>SNOW REMOVAL (TOWN HIGHWAYS)</u>				
Personal Services	43273.90	41395.12	41395.12	41395.12
Contractual Exp.	15600.00	21200.00	21200.00	21200.00
<b>Total</b>	<b>59873.90</b>	<b>62595.12</b>	<b>62595.12</b>	<b>62595.12</b>

<u>SERVICES FOR OTHER GOVT.</u>				
Personal Services	6500.00	4550.00	4550.00	4550.00
Contractual Exp.	21000.00	14000.00	14000.00	14000.00
<b>Total</b>	<b>27500.00</b>	<b>18550.00</b>	<b>18550.00</b>	<b>18550.00</b>

UNDISTRIBUTED EMPLOYEE BENEFITS - ITEM IV

State Retirement	10018.56	9500.00	9500.00	9500.00
Social Security	3400.00	3200.00	3200.00	3200.00
Disability Ins.	150.00	150.00	150.00	150.00
Medical Ins.	2877.34	2800.00	2800.00	2800.00
<b>TOTAL EMPLOYEE BENEFITS</b>	<b>16445.90</b>	<b>15650.00</b>	<b>15650.00</b>	<b>15650.00</b>

<b>TOTAL SNOW &amp; MISC.</b>	<b>111872.61</b>	<b>103702.16</b>	<b>103702.16</b>	<b>103702.16</b>
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HIGHWAY FUND APPROPRIATIONS - IMPROVEMENT PROGRAM

<u>IMPROVEMENT PROGRAM</u>				
<u>Project (Cambier Rd.)</u>				
	(O'MEAL RD) Project 45434			
Personal Services	5187.74	1513.45	1513.45	1513.45
Contractual Exp.	8656.17	16343.16	16343.16	16343.16
<b>Total</b>	<b>14254.96</b>	<b>17856.61</b>	<b>17856.61</b>	<b>17856.61</b>
<u>Project (Garnsey Rd.)</u>				
Personal Services		926.91	926.91	926.91
Contractual Exp.		10954.32	10954.32	10954.32
<b>Total</b>		<b>11881.23</b>	<b>11881.23</b>	<b>11881.23</b>
<u>Project (Cole Rd.)</u>				
	(Lusk Rd) Project 42723			
Personal Services	11222.56	617.94	617.94	617.94
Contractual Exp.	17754.69	3901.20	3901.20	3901.20
<b>Total</b>	<b>29877.85</b>	<b>4519.14</b>	<b>4519.14</b>	<b>4519.14</b>
<b>TOTAL HIGHWAY APPROPRIATIONS - IMPROVEMENT PROGRAM</b>	<b>34256.98</b>	<b>34256.98</b>	<b>34256.98</b>	<b>34256.98</b>



HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED EXTENDED BAL.

REPAIRS AND IMPROVEMENTS (ITEM 1)

<u>LOCAL SOURCES</u>				
Interest & Earnings	1500.00	1500.00	1500.00	1500.00
<u>STATE AID</u>				
Valuation Aid	20000.00	20000.00	20000.00	20000.00
	3690.00	3690.00	3690.00	3690.00
<u>TOTAL ESTIMATED REVENUES</u>	25190.00	25190.00	25190.00	25190.00
<u>TOTAL ESTIMATED UNEXPENDED BALANCE</u>	25000.00	20000.00	20000.00	20000.00

BRIDGES (ITEM 2)

<u>TOTAL ESTIMATED UNEXPENDED BALANCE</u>	1649.79	1720.06	1720.06	1720.06
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MACHINERY (ITEM 3)

<u>LOCAL SOURCES</u>				
Interest & Earnings	1000.00	1200.00	1200.00	1200.00
Rental Equip.	10000.00	8000.00	8000.00	8000.00
Transfers from Highway Fund	6000.00	3535.00	3535.00	3535.00
Fed. Revene	28000.00	25000.00	25000.00	25000.00
<u>TOTAL ESTIMATED REVENUES</u>	45000.00	12735.00	37735.00	37735.00
<u>TOTAL ESTIMATED UNEXPENDED BALANCE</u>	10000.00	15000.00	15000.00	15000.00

SNOW & MISCELLANEOUS (ITEM 4)

<u>LOCAL SOURCES</u>				
Services, other Govt	27500.00	18550.00	18550.00	18550.00
Interest & Earnings	1000.00	1200.00	1200.00	1200.00
<u>TOTAL ESTIMATED REVENUES</u>	28500.00	19750.00	19750.00	19750.00
<u>TOTAL ESTIMATED UNEXPENDED BALANCE</u>	20000.00	25000.00	25000.00	25000.00

HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BAL.

HIGHWAY IMPROVEMENT PROGRAM

<u>LOCAL SOURCES</u>	Proj. 4534 (O'Meal Rd.) Proj. 42723 (Lusk Rd.)	Cambier Rd. Garnsey Rd. Cole Rd.	Cambier Rd. Garnsey Rd. Cole Rd.	Cambier Rd. Garnsey Rd. Cole Rd.
<u>STATE AID</u>				
Hwy. Improv.	7560.00	5627.00	5627.00	5627.00
<u>TOTAL ESTIMATED REVENUES</u>	7560.00	5627.00	5627.00	5627.00

FEDERAL REVENUE SHARING FUND - APPROPRIATIONS

88160.4				
Contractual Exp.	25000.00	25000.00	25000.00	25000.00
DM 5130.2				
Equipment	28000.00	25000.00	25000.00	25000.00
<u>TOTAL APPROPRIATIONS</u>	53000.00	50000.00	50000.00	50000.00

WATER DISTRICTS

APPROPRIATIONS

	<u>SOUTH</u>	<u>NORTH</u>
Personal Services	168.00	312.00
Purchase of Water	9346.10	18532.30
Misc. Expense & Repair	315.64	1886.10
Social Security	12.00	20.00
<b>TOTAL</b>	<b>\$9841.74</b>	<b>\$20750.40</b>

REVENUES

Sale of Water	8153.64	17465.25
Interest	247.03	438.39
Capital Reserve	1441.07	2846.76
<b>TOTAL</b>	<b>\$9841.74</b>	<b>\$20750.40</b>

PALMYRA - RURAL FIRE PROTECTION - APPROPRIATIONS

Contractual Exp.	15000.00	18000.00	18000.00	18000.00
<b>TOTAL</b>	<b>15000.00</b>	<b>18000.00</b>	<b>18000.00</b>	<b>18000.00</b>
<u>ESTIMATED REVENUES</u>	NONE	NONE	NONE	NONE

EAST PALMYRA FIRE PROTECTION - APPROPRIATIONS

Contractual Exp.	5000.00	5000.00	5000.00	5000.00
<b>TOTAL</b>	<b>5000.00</b>	<b>5000.00</b>	<b>5000.00</b>	<b>5000.00</b>
<u>ESTIMATED REVENUES</u>	NONE	NONE	NONE	NONE

PORT GIBSON FIRE PROTECTION - APPROPRIATIONS

SF-3 3410.4	1300.00	1300.00	1300.00	1300.00
<b>TOTAL</b>	<b>1300.00</b>	<b>1300.00</b>	<b>1300.00</b>	<b>1300.00</b>
<u>ESTIMATED REVENUES</u>	NONE	NONE	NONE	NONE

SCHEDULE OF SALARIES OF ELECTED TOWN OFFICERS

Supervisor	\$6000.00
Councilman (4)	4800.00
Justices (2)	7200.00
Tax Collector	1800.00
Assessor	5000.00
Town Clerk	6500.00
Highway Supt.	15561.37

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:  
County of Wayne

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

November 25, 1977

*Elizabeth M. Main*  
Foreman of the Publisher

Subscribed and sworn to before me

this 25 day of Nov 1977

*Michael J. Dawson*  
Notary Public

MICHAEL J. DAWSON  
Fee: \$ 49.02 WAYNE COUNTY CLERK

ORDER OF THE BOARD OF SUPERVISORS  
FOR PUBLIC HEARING TO  
CONSIDER PETITION FOR  
ESTABLISHMENT OF  
IMPROVEMENT DISTRICT  
In the Matter of the Petition  
for the Establishment of a  
Water District in the Town of  
Palmyra, Wayne County, New  
York  
WHEREAS, a written peti-  
tion dated March 12, 1977, in  
question and containing the  
required signatures, has been  
presented to and filed with the  
Town Board of the Town of  
Palmyra, Wayne County, New  
York, for the establishment of  
a water district in said town  
to be bounded and described  
as follows:  
ACROSS THAT TRACT OR  
PARCEL OF LAND situated in  
the Town of Palmyra, County  
of Wayne and State of New  
York bounded and described  
as follows: Commencing at a  
point where the southerly line  
of the Village of Palmyra (as  
annexed in 1972-73) intersects  
with the centerline of Trowell  
Street; thence (1) the south-  
erly line of Trowell Street as  
extended to the south; (2) it  
intersects with the northerly  
boundary of lands now or  
formerly of Cleason Equip-  
ment Inc.; thence (3) contin-  
uing southerly along the lands  
of Cleason Equipment Inc. a  
distance of 415 feet along  
the easterly boundary of lands  
now or formerly of one Clark to  
a point; thence (4) easterly  
700 feet along the northerly  
boundary of lands now or  
formerly of one Sampson; (5)  
thence (5) along the lands now  
or formerly of Sampson; (6)  
thence (6) along the line of  
said Sampson; thence (7) easterly  
along the north boundary of  
lands of one Adams; thence (8)  
easterly along the north  
boundary of lands of one Adams  
and one Bedette; thence (9)  
to an angle; thence (10)  
northerly 2270 feet along  
lands of said Bedette to an  
angle; thence (11) easterly  
along the lands of said  
Bedette 1,560 feet to the  
centerline of Vienna Road;  
thence (12) of northerly along  
the centerline of Vienna Road  
to its intersection with the  
centerline of Trolley Road, so  
called; thence (13) easterly  
along the centerline of Trolley  
Road to the southeastern  
corner of a parcel of land of  
approximately 30 acres formerly  
owned by one Cook, now  
believed to be owned by the  
Assembly of God; thence (14)  
northerly on the easterly line  
of lands formerly of one Cook to  
the south of the

CJ7-012-DLQ





December 8, 1977

139

The Public Hearing scheduled for Thursday, December 8, 1977 at 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of considering the establishment of the Route 31 East Water District in the Town of Palmyra was opened at 7:30 P.M. by Supervisor Aplin. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman, Nelson Cook and David Lyon, Zoning Officer Francis Toole, Town Attorney Paul Rubery, Town Engineer Tony Malone and Town Clerk Betty Stubbings. Interested persons attending were: James Cleason, Andrew & Evelyn Baran, Paul Burkhardt, Don Sevor, Dale Powell, Eugene and Hilda McGuire, Charles Gunkler, Steve Jackson and George Contant. The Proof of Publication was read by the Clerk. Mr. Aplin requested anyone who was in favor of this Water District to speak if they wished. James Cleason stated that the petition presented to the Board speaks for itself and for those attending the hearing who signed the Petition. Supervisor Aplin then asked if there was anyone who wished to speak against this Petition. At this time, Supervisor Aplin spoke in regard to the existence of 2 different petitions, a difference in the description of the property included in the District, the effect the Re-Assessment would have on the legality of the Petition, and the fact that some of the material concerning this request was not kept in the Town Office and was not available. It was determined that one of the Petitions was one which was submitted to the Town Office in 1974. The Petition for this Hearing has been available in the Town Office for the past month and for the time since the hearing was posted. Dale Powell raised the question of how many home-owners were on the Petition as compared to the number of businesses and he questioned the fairness of 4 or 5 businesses with 51% of the Assessed Valuation being able to carry the vote to establish this Water District. Considerable discussion followed on what is required legally to form a Water District. Mr. Aplin criticized Nelson Cook and stated that he felt the material was not prepared properly, that enough information was not available and the hearing should not have been posted until proper preparation had been completed. Councilman Cook responded that all legal requirements had been done before the hearing was posted. A heated exchange of words took place between Supervisor Aplin and Chairman Nelson Cook. Dale Powell raised some questions concerning the Petition and the attached Certificate of the Assessor. The Clerk was asked to read the names on the Petition. Mrs. Eugene McGuire stated that she had taken the petition around in the area for interested persons to sign and her recollection was that only 4 were not interested. Mr. Cook advised those attending the Hearing that the Town Engineer was present and would answer any questions concerning cost, procedures and amount of time involved. Don Sevor posed a question on the cost of a house hook-up. Town Engineer Malone gave an average figure of \$350 - service connection. Mr. Malone also advised that, based on a 30 year Bond issue with an estimated interest rate of 6%, a resident with an average assessment of \$26,000 would pay approximately \$172 Water Tax per year and using an average quantity of water, would pay \$750-\$85 a year for water used. Dale Powell questioned if this tax would remain constant for the 30 years and Mr. Malone stated that if there was sufficient building done to increase the Assessed Valuation, it could mean a lowering of the tax rate. Mr. Powell also questioned if the 50,000 gallons per day water supply would be sufficient and Mr. Malone assured him that it would be enough unless something extraordinary moved into the District. Eugene McGuire asked what the procedure is after approval for the establishment of the Water

PUBLIC HEAR-  
ING RE: RT 31  
WATER DIST.  
OPENED BY  
SUPER. APLIN

District is granted by the Town Board and questioned the amount of time involved. Again, Town Engineer Malone responded by stating that the Jurisdiction approval involved the N.Y.S. Dept. of Audit & Control - fiscal over view, the N.Y.S. Dept. of Environmental Conservation - determining the water supply, the Dept. of Health - technical review, would take from 3 to 6 months, the bidding and construction possibly another 6 months. Mr. Malone stated that realistically, the Water District should be operational within 1 year to 18 months. Charles Gunkler asked when there would be an answer from the Board and Supervisor Aplin responded that the Board could approve or disapprove the establishment of this Water District tonight and he again stated that he felt this whole thing was not legal and proper. Nelson Cook asked the Town Attorney for a determination on the legality of the Hearing and Mr. Rubery responded that all legal requirements had been met for the Hearing. There being no further questions, Mr. Aplin declared the Hearing closed at 8:25 P.M..

HEARING  
CLOSED

PUBLIC HEARING The Public Hearing scheduled for 8:30 P.M. December 8, 1977 in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of considering entering into a Contract for Fire Protection with the East Palmyra Fire Department, Inc. for 5 years at a rate of \$5,000 per year was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. There was no one who spoke in favor of or opposed to this Contract. Cost for Fire Protection in the East Palmyra Fire Protection District is \$.45 per thousand of Assessed Valuation. The Hearing was closed at 8:35 P.M..

HRG. CLOSED

PUBLIC HEARING The Public Hearing scheduled for 8:45 P.M. December 8, 1977 in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of considering entering into a Contract for Fire Protection with the Port Gibson Fire Department, Inc. for 5 years at a rate of \$1300 per year was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. There was no one who spoke in favor of or opposed to this Contract. Cost for Fire Protection in the Port Gibson Fire Protection District is \$.54 per thousand of Assessed Valuation. The Hearing was closed at 8:50 P.M..

HRG.  
CLOSED

REGULAR  
MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 8:55 P.M. by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag.

MOTION TO  
APPROVE  
MINUTES

A motion to dispense with the reading of and approve the minutes of the October 27th and November 10th Town Board meetings was made by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes and no nos.

DEPT. OF  
TRANS.  
MAP INFO

COMMUNICATIONS: The following communication was read by the Clerk - From the Department of Transportation, Map Information Unit seeking information to update maps of the Town of Palmyra. This was referred to the Highway Committee and the Clerk was requested to send a letter to the Map Information Unit of the Department of Transportation asking for more time to complete this work.

ZONING

APPLIC.  
PAL. BIBLE  
CHURCH

Zoning - Zoning Officer Francis Toole reported on a Hearing to be held by the Planning Board on Tuesday, December 13th to consider the application of the Palmyra Bible Church to construct a Pole-Barn type building on Canandaigua Road to be used as a church, Rev. Thomas Asbury is the applicant. The Board discussed this application, Plot plans and building plans presented to the Planning Board for approval. Cou' lman Wideman stressed the need for the Town Board to consider adopting the State Building Code.

ASSESSOR'S  
OFFICE

Assessment - Bruce Wideman stated he didn't have a report to submit but did want to comment on the progress being made in regard to setting up the Assessor's Office in the 2 rooms over the Palmyra Florist and suggested that

**AFFIDAVIT OF PUBLICATION**

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

LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
ON FIRE PROTECTION  
CONTRACT  
NOTICE IS HEREBY GIVEN  
that a public hearing will be  
held by the Town Board of the  
Town of Palmyra, Wayne  
County, New York at the Town  
Office, 204 East Main Street,  
Palmyra, New York at 8:30  
P.M. on the 8th day of  
December, 1977 for the pur-  
pose of considering the  
entering into a new contract  
with the East Palmyra Fire  
Department, Inc. for fire  
protection in the East Palmyra  
Fire Protection District. Such  
contract shall provide for the  
payment to the East Palmyra  
Fire Department, Inc. of the  
sum of \$5000 per year for a  
term which begins on the first  
day of January, 1978 and ends  
on the 31st day of December,  
1983 from the funds of such  
fire protection district. The  
said payment to be made  
during January of each year or  
after the execution of such  
contract by both parties.  
In all other respects the  
contract shall contain the  
same general provisions as the  
existing contract.  
All persons interested in the  
matter will be heard at such  
time and place.  
Dated: November 21, 1977  
By order of the Town Board  
of the Town of Palmyra  
Burt A. Sullivan

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

November 25, 1977

*Elizabeth M. Main*  
Foreman of the Publisher

Subscribed and sworn to before me

this 25 day of Nov 1977  
*Michael Donovan*  
Notary Public

Fee: \$ 13.96

**AFFIDAVIT OF PUBLICATION**

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

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

November 25, 1977

*Elizabeth M. Main*  
Foreman of the Publisher

Subscribed and sworn to before me

this 25 day of Nov 1977

*Michael J. Brennan*  
Notary Public

Fee: \$ 13.96

MICHAEL J. BRENNAN  
WAYNE COUNTY, NEW YORK

OWNER PROTECTION CONTRACT  
NOTICE IS HEREBY GIVEN  
that a public hearing will be held by the Town Board of the Town of Palmyra, Wayne County, New York, at the Town Office, 204 East Main Street, Palmyra, New York, at 8:45 P.M. on the 21st day of December, 1977, for the purpose of considering the entering into a new contract with the Port Gibson Fire Department, Inc. for fire protection in the Port Gibson Fire Protection District. Such contract shall provide for the payment to the Port Gibson Fire Department, Inc. of the sum of \$1300 per year for a term which begins on the first day of January, 1978 and ends on the 31st day of December, 1983 from the funds of such fire protection district. The said payment to be made during January of each year after the execution of such contract by both parties. In all other respects, the contract shall contain the same general provisions as the existing contract.  
All persons interested in the matter will be heard at such time and place.  
Dated: November 21, 1977  
By order of the Town Board of the Town of Palmyra, Wayne County, New York.



Board members take time to look at the office. Mr. Wideman also spoke in regard to the excellent progress Mr. Schwing is making in getting acquainted with the work in the Assessor's Office.

Highway - The Clerk read a letter from Philip Rice, Wayne County Department of Highways concerning the repair of the Hogback Hill Road Bridge. Mr. Rice assured the Town of Palmyra, regardless of legal action which Don Crowley is starting, the bridge will be repaired, probably in early 1978.

In answer to a request by the Town Highway Superintendent, the Clerk checked with the Town Attorney in regard to the Vehicle and Traffic Law concerning vehicles parked along the highway. This creates a problem during snow plowing. The Town Attorney advised that Section 1202 or 1660 of the Vehicle and Traffic Law could be used. The Board discussed this matter and came to the decision that some kind of contact should be made, either by letter or a notice in the paper, giving notice that continued violation could result in vehicles being towed away and being in violation of the New York State Vehicle and Traffic Law.

Another item under Highway business was a report by Supervisor Aplin concerning the Snow & Ice Control Audit Disallowance in the amount of \$6,162.75. The State has a Contract with the County and the County sub-contracts with the Towns. However, the Town of Palmyra has no contract with the County, it has been a verbal agreement for several years. The Town Attorney stated that he was sure a written request for a contract has been submitted to the County in the past. Mr. Aplin has talked with Supervisors in other Towns. Town Highway Superintendents submit monthly reports showing the number of hours and materials used and the Supervisors feel that if there is a discrepancy, it should be questioned at the time the report is submitted. Supervisor Aplin's position is that the Towns should not be required to pay, if any discrepancies exist; the State and County should straighten them out. Councilman Cook questioned the Town Attorney on the legality of this matter, and Mr. Aplin stated that he expects other Towns are going to take a stand on this matter. No action was taken by the Board at this time.

Water - The Board at this time took under consideration the Fire Contracts for which the Public Hearings were held earlier in the evening.

A motion was made by Edwin Wheeler, seconded by Nelson Cook to approve the Contract between the East Palmyra Fire Department, Inc. and the Town of Palmyra for Fire Protection in the East Palmyra Fire Protection District. Such contract shall provide for the payment to the East Palmyra Fire Department, Inc of the sum of \$5,000 per year for 5 years. Motion passed with 5 ayes and no nos.

A motion was made by Edwin Wheeler, seconded by Nelson Cook to approve the Contract between the Port Gibson Fire Department, Inc. and the Town of Palmyra for Fire Protection in the Port Gibson Fire Protection District. Such contract shall provide for the payment to the Port Gibson Fire Department, Inc. of the sum of \$1300 per year for 5 years. Motion passed with 5 ayes and no nos.

Nelson Cook, Chairman of the Water Committee, reported on the most recent negotiations with the Village of Palmyra in regard to the Water Contract. He met with them Tuesday, December 6th and the Village chose to discuss the contract in Executive session. Mr. Cook presented the following 3 proposals from the Village of Palmyra:

- (1) The Town of Palmyra would share in the complete cost of the complete

141  
ASSESSOR'S  
OFFICE  
CONT'D

HIGHWAY  
BRIDGE  
ON HOGBACK  
HILL RD.

CARS  
PARKED ON  
HWY.

SNOW & ICE  
CONTROL  
DISALLOW.

WATER

MOTION TO  
APPROVE  
CONTR. W/  
E. PAL.  
FIRE DEPT.

MOTION TO  
APPROVE  
CONTR. W/  
PT. GIBSON  
FIRE DEPT.

WATER  
CONTR.  
MTG.

Water System, on a percentage basis.

(2) A 3 year Contract - the Town would install 2 Master Meters - South Water District by November of 1978 and the North Water District by November of 1979. Installation of the Master Meters would be a joint venture with the Village furnishing the labor for digging the holes and doing the hook-up and the Town buying the meters, equipment and furnishing the gravel. The Village will continue to do the billing and reading of meters. Price for water would be \$1.05 per 100 cu. ft. or approximately \$1.40 per thousand gallons.

(3) A 3 year Contract - the 2 Master Meters to be installed as a joint venture as in Proposal #2. The Town will do all billing and reading of the meters and will buy the house meters. Rate would be \$1.02 per 100 cu. ft., approximately \$1.36 per thousand gallons.

Mr. Cook reported on the rates paid by surrounding towns and these were discussed at length by the Board.

A motion was made by Edwin Wheeler, seconded by Roy Aplin to accept Proposal #2 - contract to be reviewed yearly. David Lyon suggested the Board look into Proposal #1, find out some figures and what the cost for the Town would be. Bruce Wideman reported on some figures involved in Proposal #1. Considerable discussion followed with the motion being defeated with a vote of 2 ayes and 3 nos - Edwin Wheeler and Bruce Wideman voting aye, Roy Aplin, David Lyon and Nelson Cook voting no.

A motion was offered by Edwin Wheeler, seconded by Bruce Wideman to have a combined meeting with the Village to go over the details of Proposal #1. Motion passed with 5 ayes and no nos. Chairman Cook was to contact the Mayor who would check with the Village Board to set up a date for the combined meeting.

At this time, the Board returned to the business of making a decision concerning the Proposed Route 31 East Water District. A motion was made by Edwin Wheeler, seconded by Nelson Cook to establish the Route 31 East Water District, Phase I, subject to meeting all legal requirements. Following some discussion, the motion was defeated with a vote of 1 aye - Edwin Wheeler, and 3 nos - Bruce Wideman, Roy Aplin and Nelson Cook, David Lyon abstained. The Board discussed this Proposed Water District further, particularly, in regard to the percentage of resident property owners within the District. A

motion was made by Nelson Cook, seconded by David Lyon that the Town Attorney investigate and make a determination of the percentage of resident Property owners in the District, also check the certificate of the Assessor to assure the necessary percentage of Assessed Valuation is correct. Motion passed with 5 ayes and no nos.

Landfill - Supervisor Aplin read a letter of November 21st from the Department of Environmental Conservation concerning the Town of Palmyra Refuse Disposal Area and citing violations found at an inspection done on November 16th. The Supervisor felt that this was not of a serious nature and is a form of harassment, no health hazards exist and there are no rats or vermin.

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

(1) A letter from the Department of Transportation in regard to the request of Max Albertson for an airport was read by the Clerk. This item of business was tabled until next meeting in order for David Lyon to check the file on this request and to check with Walter Eves, Attorney, if necessary.

(2) A letter from the Department of Housing & Urban Development con-

CONTR.  
MEETING  
CONT'D

MOTION TO  
ACCEPT  
PROP. #2  
DEFEATED

MOTION TO  
HOLD COMB.  
MTG. W/  
VILLAGE

MOTION TO  
ESTAB.  
WATER DIST.  
DEFEATED

MOTION TO  
REQ. TN. ATT.  
TO INVEST.  
LEGAL  
REQUIRE-  
MENTS

LANDFILL  
Letter re:  
Violations

UNFINISHED  
BUSINESS

M. ALBERTSON  
AIRPORT

NATIONAL  
FLOOD INSUR.  
PROGRAM

cerning the National Flood Insurance Program and the adoption of certain regulations by March 1, 1978 was presented by the Clerk and discussed by the Board. The Town Attorney advised adopting a separate ordinance or incorporating it as a part of the Zoning Ordinance. The Board instructed Mr. Rubery to check on this matter and prepare a Proposal for the Town Board to act on.

NATIONAL  
FLOOD  
INSURANCE  
PROGRAM

MEMORANDUM

(3) Fuel Oil Bids - The Supervisor reported on the number of gallons used from December 1975 - October 1977. Following some discussion, a motion was made by Bruce Wideman, seconded by Nelson Cook to put the Fuel Oil (heating) for the Town of Palmyra out for bid. Town Councilman Lyon will set up the specifications. Motion passed with 5 ayes and no nos.

MOTION TO  
ADV. FOR  
BIDS ON  
HTG. OIL

(4) Supervisor Aplin reported that he and Anson Johnson, Jr. had discussed the lease for the office recently and had found after some checking that Town Attorney Paul Rubery had sent a copy of the lease to Mr. Johnson's attorney, Gary Morell, in July and had never received any response. The lease has been approved but signatures were needed. The Board at this time signed the lease.

OFFICE  
LEASE

(5) Anti-Recession Funds - Supervisor Aplin reported to the Board that there are Federal Anti-Recession Funds in the amount of \$6,137 to be expended by January 12, 1978. \$2,000 of these funds have been allocated to the Assessor's Office. Mr. Aplin discussed with the Board some accounts which have insufficient funds to cover vouchers which have to be paid. A motion was made by David Lyon, seconded by Edwin Wheeler to approve payment of a voucher in the amount of \$755.73 from Anti-Recession Funds for Extended services, ordinarily paid from General Fund. Motion passed with 5 ayes and no nos.

ANTI-REC.  
FUNDS

(6) Supervisor Aplin reported to the Board that he has spoken with the officials at the Palmyra Airport in regard to possible precautions which could be taken in order to avert another plane crash. Mr. Aplin was assured that this would be discussed at a Directors' meeting and the Town Board would be informed by letter what decisions are made.

MOTION TO  
APPROVE  
PAYMENT FR.  
ANTI-REC.  
FUNDS

DISC. W/  
AIRPORT  
OFFICIALS

Town Attorney Paul Rubery spoke briefly to the Board members in regard to new regulations of the Public Information Law and what would be required on the part of the Town of Palmyra in order to comply.

Supervisor Aplin reported to the Board on the State Anti-Recession Funds- the Town of Palmyra has received these funds in the amount of \$5,913 which have to be expended by April 26, 1978.

ANTI-REC.  
FUNDS  
(STATE)

A motion to approve the application for a Bingo License for 1978 for the Palmyra Memorial V.F.W. Post # 6778 was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO  
APPROVE  
BINGO LIC.  
V.F.W.

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

MOTION TO  
PAY BILL

GENERAL FUND	VOUCHERS # 438-466	\$3677.98
PART TOWN FUND	" # 62	9.69
ITEM I & IA	" # 82	562.80
ITEM III	" # 191 - 208	2023.76
ITEM IV	" # 58 - 59A,B	8689.16
FEDERAL REVENUE SHARING	" # 13	2250.00
NORTH WATER DISTRICT	" # 26	78.00
SOUTH WATER DISTRICT	" # 14	42.00
TOTAL		<u>\$17333.39</u>

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

MOTION  
TO CLOSE

Respectfully submitted,  
*Betty B. Stubbings*

December 22, 1977

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened on Thursday, December 22, 1977 at 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman, Town Attorney Paul Rubery, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine, Jr., and Town Clerk Betty Stubbings. Interested persons attending were: Paul Burkhardt, Steve Jackson and Andy Baran.

MOTION TO  
APPROVE  
MINUTES OF  
11/21

The motion was made by Edwin Wheeler, seconded by Bruce Wideman to dispense with the reading of and approve the minutes of the November 21st Town Board meeting. Motion passed with 3 ayes and no nos.

MOTION TO  
APPROVE SER.  
CONTR. W/  
BI-CEN. BUS.  
MACHINES

A communication from Bi-Centennial Business Machines offering a one year's service on the Victor Calculator was read by the Clerk. A motion made by Bruce Wideman, seconded by Edwin Wheeler approved the payment of \$26.50 to Bi-Centennial Business Machines for service and repair for 1 year on the Victor Calculator. Motion passed with 3 ayes and no nos.

At 7:40 P.M. Nelson Cook joined the meeting.

COMMITTEESCOMMITTEE REPORTS -ZONING

Zoning - Francis Toole reported that he had checked the Septic system at the new residence of John Colacino on Vienna Road.

At 7:45 P.M. David Lyon joined the meeting.

The Town Clerk reported on Councilman Lyon's telephone call to Walter Eves, Attorney and counsel for the Town of Palmyra in regard to Max Albertson's request for an airport. Mr. Eves advised the Town Board that a Public Hearing should be held to present the determination of the Department of Transportation. A motion was made by David Lyon to post a public hearing for January 12, 1978 at 7:30 P.M. to present the determination of the Department of Transportation concerning Max Albertson's request for an airport. Motion was seconded by Edwin Wheeler and passed with 5 ayes and no nos.

MOTION TO  
POST HRG. RE-  
DOT DETER  
CONC. ALBERT  
SON AIRPORTASSESSMENT

Assessment - Bruce Wideman reported that a 3rd filing cabinet had to be ordered from Macke-Williamson for the Assessor's Office. Mr. Wideman read an informal request from Robert Kirchhoff for a member of the Assessment Board of Review and himself to attend the Association of Towns Meeting in New York City in February. This request was discussed by the Board and the Supervisor spoke in regard to the possibility of Roger Schwing attending the meeting in February as well as seminars which will be coming up. Bruce Wideman made the motion that Mr. Kirchhoff's request concerning the Association meeting be tabled temporarily. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO  
TABLE R.KIR-  
CHHOFF'S RE-  
QUESTASSESS. RECORDS

Councilman Lyon questioned if all the Assessor's records have been moved to the new location and Mr. Wideman reported that they have not. Nelson Cook asked if a deadline had been set on this project. Following some discussion, Bruce Wideman moved that the Town Clerk notify Robert Kirchhoff in writing that all records, other sundry material be moved to the new Assessor's Office at 138 East Main Street, Palmyra no later than January 1, 1978. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO  
NOTIFY R.KIR-  
CHHOFF RE:  
RECORDSDISCUSSION  
RE: SR.CIT.  
EXEMPTION

Supervisor Aplin asked if the estimated number of taxpayers involved providing the exemption for Senior Citizens is raised was available as yet. Mr. Wideman stated that he didn't think the information would be available until the 1st meeting in January. Some Board members felt they wanted some figures to work with before they hold a public hearing and make a decision on



raising the exemption for Senior Citizens. The Town Attorney mentioned that the Village Assessor should have some information which can be used because the Village has increased their limit to \$7200 and their deadline date is January 1, 1978.

Highway - Town Highway Superintendent James DeBrine returned the paperwork concerning the request from the Department of Transportation for a review of scale maps and this will be returned to the Map Information Unit of the Department of Transportation in Albany.

Mr. DeBrine also reported that the work is completed as of today (December 22nd) in regard to the Bear Hill Drive Traffic Zone. Completion papers are filled out and will be returned to Jon Edinger.

Superintendent DeBrine stated that he received a letter from Town Attorney Paul Rubery this fall in regard to seasonal usage of highways. It was filed temporarily but he now suggested that the Board consider designating the East Townline Road as a seasonal Highway. Following some discussion on this matter, a motion was made by David Lyon, seconded by Edwin Wheeler that East Townline Road be designated as a seasonal highway to be closed from today (December 22, 1977) to April 1, 1978. Motion passed with 5 ayes and no nos.

A motion to approve and sign the Annual Agreement to Spend Highway Funds was made by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes and no nos. All copies should be returned to Philip Rice, Wayne County Highway Superintendent.

Mr. DeBrine reported that it will be necessary to replace the Fuel Oil tank at the Town Barns and the question was raised about using some of the Anti-Recession funds for this replacement.

The Board turned their attention to the question of whether or not to put out for bids the purchase of Heating Oil for the Town Barns. The specifications for Heating oil was discussed. A motion was made by David Lyon, seconded by Bruce Wideman to advertise for bids for Heating oil. Motion passed with 5 ayes and no nos.

The Board next discussed the possible advantage of also advertising for bids on the Diesel Fuel and Gasoline purchased by the Town of Palmyra. Supervisor Aplin reported on the amount spent in 1976 and 1977 for these items. A motion was offered by Bruce Wideman, seconded by David Lyon to advertise for bids all Diesel Oil and Gasoline purchased by the Town of Palmyra. Motion passed with 5 ayes and no nos.

Roger Schwing who is working to set up the Assessor's Office at 138 East Main Street spoke briefly to the Board members - inviting them to visit the new office to see what is involved in processing the information which comes into that office. Mr. Schwing also took this opportunity to thank the Town Board for their support and help in the endeavor.

Water - Nelson Cook reported to the Board that he has contacted the Village and has set a time for a joint meeting of the Town Board and the Village Board to discuss the possibility of a joint venture on the Water System, also to discuss the Water Contract between the Town and Village. Supervisor Aplin spoke to the Board concerning a meeting held in Ontario in regard to water supply in Wayne County. Several Town Supervisors and Water Superintendents attended as well as Lozier Engineers and Hershey - Malone Associates. The big question which was discussed was that of financing. Mr. Aplin stated that there is enough interest to warrant another meeting and he will notify Board members when he is advised that a time

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DISC. RE:  
SR. CIT.  
EXEMPTION

HIGHWAY  
MAPS RETD  
TO DOT

WORK  
COMPL.  
RE: BEAR  
H. TRAF. ZON

MOTION  
TO DESIG.  
E. TN. L. RD.  
AS SEAS.  
HWY.

MOTION TO  
APPROVE ANN  
AGREE. HWY.  
FUNDS

FUEL TANK  
REPL.

DISC. RE:  
BIDDING  
HEATING  
OIL  
MOTION TO  
ADV. FOR BID

MOTION TO  
ADV. FOR  
BIDS ON  
FUEL OIL &  
GAS

ASSESSOR'S  
OFFICE

JOINT MTG.  
W/VILLAGE

for the meeting is set.

DISCUSSION  
EAST WATER  
DISTRICT

Mr. Cook questioned the Town Attorney on the status of the Proposed Water District, Route 31 E and Mr. Rubery reported that the Petition meets all requirements, he checked with the Department of Audit & Control to determine legality on the points of residency and Assessment roll. The proceedings for forming a Water District could be started under Article 12C of the Town Law or by a Town Board motion. The Town Attorney also explained the determination of the Assessment Roll. All these points were discussed at length by the Board. A motion was made by Edwin Wheeler to create the East Water District (Route 31 E.). Motion was seconded by Nelson Cook and passed with a vote of 3 ayes - Edwin Wheeler, Nelson Cook and David Lyon; 1 no - Roy Aplin and Bruce Wideman abstained. See Attached Resolution.

MOTION TO  
CREATE EAST  
WATER DIST.  
SEE ATTACH.  
RESOLUTION

Landfill - Supervisor Aplin first stated that there was nothing to report on the Landfill at this time but following a question by Edwin Wheeler concerning the operation of the Landfill without a Contract, the Board discussed at length several points in regard to the Landfill. Mr. Aplin stated that he is still negotiating with the O'Meals. Mr. Rubery advised that the Specifications could be drawn up with the Town Engineer and David Lyon suggested any action on the Contract or self-operation be postponed until negotiations with O'Meals are complete. Supervisor Aplin offered to check with Tony Malone for a rough study on the Landfill. The question was asked if there was any indication at this time of a Joint Landfill operation with other Towns. No action was taken at this time.

DISCUSSION  
RE: LAND-  
FILL

There were no reports from the Cemeteries and Consolidation of Town & Village committees.

INSURANCE

Unfinished business - The Board discussed the Insurance study and the Town Attorney suggested getting a Professional Independent Agency to set up some specifications and do a survey on the Town's present Insurance coverage.

PROCE. L.L. #1  
FLOOD PRCG.

As a result of a letter from the Department of Housing & Urban Development concerning the National Flood Insurance Program, the Town Attorney prepared a Proposed Local Law #1 - 1978 for the Town Board to study. While discussing this Local Law, the Flood Maps were reviewed. Bruce Wideman and David Lyon offered to work as a committee and study the Flood Maps and make recommendations to the Town Board.

TRANSFER OF  
FUNDS &  
MOTIONS

The Board turned their attention to some Transfer of Funds.

A motion made by Edwin Wheeler, seconded by David Lyon approved a Transfer of Funds in the amount of \$17.57 from Contingent Account B1990.4 to the Planning Board Contractual Expenses B8020.4. Motion passed with 5 ayes and no nos.

A motion made by David Lyon, seconded by Edwin Wheeler approved the Transfer of Funds in the amount of \$5040 from Highway Item IA Improvement Program Lusk Road DOT 42723 to Item III Machinery DE 9540.9. Motion passed with 5 ayes and no nos.

A motion made by Bruce Wideman, seconded by David Lyon approved a Transfer of Funds in the amount of \$2888.78 from Anti-Recession Funds to the following Accounts: A1010.4 Town Board Contractual Expenses - \$66.61, A 1220.4 Bookkeeper - \$241.20, A1355.1 Assessor, Personal Services - \$2375.00, A1410.4 Town Clerk Contractual Expenses - \$80.77, A1355.4 Assessor Contractual Expenses - \$125.00. Motion passed with 5 ayes and no nos.

Bruce Wideman reported on his research and investigation in regard to a copy machine for the Town Office. Board members discussed the need for and the advantages of a copy machine. Mr. Wideman will check on some points and

**LEGIBILITY ON ORIGINAL DOCUMENT IS POOR**

RESOLUTION

WHEREAS, a petition for the creation of a water district to be known as the "East Water District" in the Town of Palmyra, Wayne County, New York, said petition being dated the 12th day of March, 1977, was duly presented to this Town Board together with the necessary map and plan attached hereto and,

WHEREAS, an order was duly adopted by the Town Board on the *27th* day of *October*, 1977, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed district and the estimated expenses thereof and specifying *December 8*, 1977 at *7:30* o'clock as the time and the Town Clerk's Office in the said Town of Palmyra as the place where said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same, and

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

WHEREAS, a hearing in the matter was duly held by the Board on the *8th* day of *December*, 1977, commencing at *7:30* *A.M.* at the Town Clerk's Office in the said town and considerable discussion upon the matter having been had and all persons desiring to be heard having been duly heard including many of the petitioners in person and various other persons speaking in favor of the establishment of the proposed district,

NOW, upon the evidence given upon such hearing and upon motion of Edwin Wheeler, Councilman, seconded by Nelson Cook, Councilman, and was passed on a vote of three "ayes", Edwin Wheeler, Nelson Cook and David Lyon, to one no, LeRoy Aplin, and one abstained, Bruce Wideman.

RESOLVED AND DETERMINED that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies

**LEGIBILITY ON ORIGINAL DOCUMENT IS POOR**

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with the requirements of Section 191 of the Town Law as to sufficiency of signers and it is otherwise sufficient; (b) all the property and property owners within the proposed district are benefited thereby; (c) all the property and property owners benefited are included within the limits of the proposed district; and (d) it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the establishment of a water district as proposed in said petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such district shall be designated and known as the "East Water District" and shall be bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Palmyra, County of Wayne and State of New York, bounded and described as follows: Commencing at a point where the southerly line of the Village of Palmyra (as annexed in 1973-74) intersects with the centerline of Howell Street extended to the south; thence (1) southerly along the centerline of Howell Street as extended to the south till it intersects with the northerly boundary of lands now or formerly of Cleason Equipment Inc.; thence (2) continuing southerly along the lands of Cleason Equipment Inc. a distance of 1,619 $\frac{1}{2}$  feet along the easterly boundary of lands now or formerly of one Clark to a point; thence (3) easterly 700 $\frac{1}{2}$  feet along the northerly boundary now or formerly of one Sampson and the southerly boundary of Cleason Equipment Inc.; thence (4) northerly along the lands now or formerly of Sampson 273 $\frac{1}{2}$  feet to an angle in the line of said Sampson; thence (5) easterly along the north boundary of said Sampson 442 $\frac{1}{2}$  feet to an angle in the line of said Sampson; thence (6) northerly 386 $\frac{1}{2}$  feet to an angle in the said Cleason Equipment Inc. easterly line as shown in Liber #30 page 273; thence (7) easterly 1,310 $\frac{1}{2}$  feet along the north line formerly of Sampson to a point; thence (8) southerly along the east line formerly of one Sampson 170 $\frac{1}{2}$  feet to an angle; thence (9) southerly 224 $\frac{1}{2}$  feet to an angle in the east line formerly of Sampson; thence (10) southerly 1,378 $\frac{1}{2}$  feet along the former east line of Sampson to an angle; thence (11) easterly 502 $\frac{1}{2}$  feet to a point in the land now of one Adams; thence (12) northerly along the lands of one Adams and one Badette 1,753 $\frac{1}{2}$  feet to an angle; thence (13) northerly 210 $\frac{1}{2}$  feet along lands of said Badette to an angle; thence (14) easterly along the lands of said Badette 1,560 $\frac{1}{2}$  feet to the centerline of Vienna Road; thence (15) northerly along the centerline of Vienna Road to its intersection with the centerline of Trolley Road, so called; thence (16) easterly along the centerline of Trolley Road to the southeasterly corner of a parcel of land approximately 30 acres formerly owned by one Cook



**LEGIBILITY ON ORIGINAL DOCUMENT IS POOR**

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now believed to be owned by the Assembly of God; thence (17) northerly on the east line of lands formerly of Cook to a point 300 feet south of the southerly right of way line of New York State Highway Route 31; thence (18) easterly to a point due south of the east line of one P. Johnson as extended southerly; thence (19) northerly and across Route 31 along the easterly line of Johnson to the Barge Canal lands of the State of New York; thence (20) easterly along the southerly boundary of the Barge Canal lands of the State of New York to a point of intersection with the easterly line of the Village of Palmyra; thence (21) southerly along the easterly line of the Village of Palmyra and westerly along the southerly line of the Village of Palmyra to the point and place of beginning.

RESOLVED, that the proposed improvement, including costs of rights of way, construction costs, legal fees and all other expenses shall be financed as follows: by a bond issue extending over a thirty year life period, and it is further

RESOLVED, that the Town Clerk of this Town shall within ten days after the adoption of this resolution file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York, together with an application by this Board in duplicate for permission to create such district as provided for by the Town Law, Section 194; and that such application shall be executed by and in behalf of the Town Board by the supervisor of the Town.

**LEGIBILITY ON ORIGINAL DOCUMENT IS POOR**

STATE OF NEW YORK        )  
COUNTY OF WAYNE        )    SS:  
TOWN OF PALMYRA         )

I, BETTY STUBBINGS, Town Clerk of the Town of Palmyra, Wayne County, New York, DO HEREBY CERTIFY that I have compared the preceding resolution attached hereto with the original thereof filed in my office at Palmyra, Wayne County, New York on the *22nd* day of *December*, 1977 and that the same is a true and correct copy of said original and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Town of Palmyra this *27th* day of December, 1977.

*Betty Stubblings*  
Betty Stubblings  
Town Clerk of the Town of Palmyra  
Wayne County, New York

will report back to the Board.

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

MOTION TO  
PAY BILLS

GENERAL FUND	VOUCHERS # 467 - 507	\$13,158.68
PART TOWN FUND	" # 63 - 69	1,580.76
HIGHWAY ITEM I & IA	" # 83	5,040.00
HIGHWAY ITEM III	" # 209 - 216	871.90
HIGHWAY ITEM IV	" # 60 - 64	7,503.51
FEDERAL REVENUE SHARING	" # 14	5.21
TOTAL		<u>\$28,160.06</u>

The motion to adjourn this meeting to Thursday, December 29th at 9:00 P.M. was made by David Lyon, seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION TO  
ADJOURN

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

MEETING  
OPENED

The adjourned meeting of the Town Board of the Town of Palmyra was opened at 9:20 P.M. Thursday, December 29, 1977 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag.

Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman, Nelson Cook and David Lyon, Town Highway Superintendent James DeBrine, Zoning Officer Francis Toole, Town Attorney Paul Rubery, Bookkeeper Virginia Wilson and Town Clerk Betty Stubbings. Steve Jackson of the Courier-Journal also attended.

DISCUSSION  
RE: SANTELLI  
RETAIL BUS.  
AT DUTTON  
LUMBER

Mr. Anthony Santelli of Lyons, New York had requested time to speak to the Town Board in regard to the use of the former Dutton Lumber Company on Division Street as a Retail Lumber Business. This use is permitted under Zoning Ordinance and the Board has no action but the Town Attorney had advised that it would be in the best interest of the Town if Mr. Santelli appeared and discussed his intentions with the Board. Mr. Santelli spoke to the Board concerning what few changes would be made - some re-modeling including a Front Porch, landscaping and an attractive entrance. Board members questioned Mr. Santelli on several points. The possibility of a retail business creating a traffic problem in this area where the main entrance of Garlock's is also located was discussed at length. The Clerk presented to the Board the applications from Trailer Park owners for Annual Permits to operate Trailer Parks. A motion was made by David Lyon, seconded by Edwin Wheeler to approve these applications conditioned upon approval of the Health Officer. Motion passed with 5 ayes and no nos.

MOTION TO  
APPROVE TRL.  
PARK APPLIC.

MOTION TO  
APPROVE  
TRANS. OF  
FUNDS

The motion to approve the following Transfer of Funds was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos:

From Contingency Fund A 1990.4 to General Fund Soc. Sec. A 9030.8	- \$588.23
From Part Town B9540.9 to Item I DR 2812	- \$24,988.00
From Contingency Fund B1990.4 to Part Town Soc. Sec. B 9030.8	- \$21.25
Highway Item IV - From DS9010.8 Retirement to DS 9030.8 Soc. Sec.	- \$634.61

MOTION TO  
APPROVE  
TRANS. OF  
FUNDS

The motion to approve the following Transfer of Funds was made by David Lyon seconded by Edwin Wheeler and passed with 5 ayes and no nos:

Highway Item I Contractual Expenses DR 5110.4 to Personal Services Acct. DR 5110.1	- \$1258.26
Highway Item IA Contractual Expenses DE 5150.4 to Personal Services Acct. DE 5150.1	- \$846.94

MOTION TO  
APPROVE  
TRANS. OF  
FUNDS

The motion to approve a Transfer of Funds from Anti-Recession Funds to the General Fund for the following Accounts because of insufficient funds was made by David Lyon, seconded by Bruce Wideman and passed with 5 ayes and no nos:

Supervisor - Contractual Expenses A 1220.4	-	79.16	
Town Clerk - " " A 1410.4	-	31.60	
Dog Warden - " " A 3510.4	-	69.84	\$180.60
Buildings - " " A 1620.4	-	6.25	
Highway Signs - " " A 5650.4	-	272.23	
Assessor's " " A 1355.4	-	615.30	\$893.78

MOTION TO  
APPROVE  
ENCUMBER-  
ANCES

The motion to approve the following Encumbrances for the General Fund was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos:

Buildings - Contractual Expenses	1620.4	-	6.25
Highway Signs - " "	5650.4	-	272.23

MOTION TO  
APPROVE  
ENCUMBER-  
ANCES

The motion to approve the following Encumbrances for Highway Item III and Highway Item IV was made by Edwin Wheeler, seconded by Nelson Cook and



passed with 5 ayes and no nos:

Highway Item III - DM 5130.2	- 896.48	
DM 5130.4	- 582.59	\$1479.07
Highway Item IV - DS 5142.4	- 3447.61	
DS 5148.4	- 1232.80	\$4680.41

MOTION TO APPROVE ENCUMBRANCES

A balance of \$1491.53 in Anti-Recession Funds was reported. Bruce Wideman discussed with the Board the purchase of a Pitney-Bowes Copy Machine using Anti-Recession Funds. The purchase of a Fuel Tank, now being rented, was also discussed.

A motion was made by Bruce Wideman to use \$1000 from Anti-Recession Funds to purchase the Pitney-Bowes Copy Machine for the Town Office. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

Motion to Purchase Copy Machine

The motion to use \$324.50 from Anti-Recession Funds for the purchase of the Fuel Tank was made by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes and no nos.

MOTION TO PURCHASE FUEL TANK

The motion to Transfer Funds in the amount of \$5000 from Highway Item III-Acct. DM 2300 to Machinery Capital Reserve Fund was offered by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes and no nos.

MOTION TO TRANSFER FUNDS

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

MOTION TO PAY BILLS

GENERAL FUND	VOUCHERS # 508 - 526	\$ 2552.71
PART TOWN FUND	" # 70 - 72	25017.25
HIGHWAY ITEM I & IA	" # 84 - 87	191.05
HIGHWAY ITEM III	" # 217 - 226	5995.28
HIGHWAY ITEM IV	" # 65 - 69	5366.73
NORTH WATER DISTRICT	" # 27 - 28	5.91
SOUTH WATER DISTRICT	" # 15	2.46
TOTAL		<u>\$39131.39</u>

The motion to hold the Organizational Meeting for 1978 on Thursday, January 5, 1978 at 7:30 P.M. was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION TO HOLD ORGAN. MEETING

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

MOTION TO CLOSE MTG.

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Town Clerk

January 5, 1978

ORGANIZATIONAL MEETINGMEETING  
OPENED

The Organization Meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. Thursday, January 5, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman, Nelson Cook and David Lyon, and Town Clerk Betty Stubbings. Ruth Benedict of the Gannett Papers was also present.

A communication from the Village of Palmyra inviting the Town Officers to attend the Opening ceremonies of the new Fire Hall to be held January 7th was read by Supervisor Aplin.

APPOINTMENT  
OF DEF. SUPER.

Supervisor Aplin appointed Jack Lynn as Deputy Supervisor. David Lyon asked to express some thoughts on this appointment. He stated that although Mr. Lynn had been the Deputy Supervisor for 3 or 4 months, he had never seen him at a Town Board Meeting and he didn't believe Jack Lynn had ever held a Town Office and didn't think he knew anything about the operation of Town Government. Mr. Aplin responded by saying that it had been made very clear a while back that one has to be an elector of the Town to be eligible for election. He stated that Jack Lynn has lived in our area for a number of years, has been very active in civic and governmental work and organizations, served a good many years as Police Justice for the Village of Palmyra and that was an elected office. Mr. Lyon replied that he had said Mr. Lynn had never held an office in Town Government. Mr. Aplin stated that in his opinion Jack Lynn was highly qualified.

APPT. OF  
BKKPR.

The meeting continued with Supervisor Aplin appointing Virginia Wilson as Bookkeeper for the year 1978 at a salary of \$3.80 per hour.

APPT. OF  
COMMITTEES

The following Committees were named by the Supervisor:

HIGHWAY - David Lyon	ASSESSMENT & ZONING - Bruce Wideman
WATER - Nelson Cook	CEMETERIES - Roy Aplin
LANDFILL - Nelson Cook & David Lyon	JOINT RECREATION COMM. - Edwin Wheeler & Nelson Cook
CONSOLIDATION OF TOWN & VILLAGE - Edwin Wheeler & David Lyon	

TOWN ATTOR.  
APPOINT-  
MENT (LOST)

Supervisor Aplin made the motion appointing James Sapienza as Town Attorney for the Town of Palmyra for 1978. There was no second to the motion, therefore, the motion was lost.

MOTION  
TOWN ATTOR.  
APPOINTMENT

Nelson Cook made the motion to appoint Paul Rubery as Town Attorney for the Town of Palmyra for the year of 1978 and David Lyon seconded the motion. Under discussion, Supervisor Aplin stated that he couldn't support Mr. Rubery for this appointment because he felt there were conflicts of interest, not minor but serious conflicts, the most recent being the East Water District and he felt it was not proper or fair to the people of the Town. Bruce Wideman also commented on this appointment stating that there were perhaps conflicts of interest but he felt some points in favor of the appointment were Mr. Rubery's knowledge in other areas such as Town Law and his contributions and assistance in things which have come before the Board. Mr. Wideman and Mr. Cook both spoke in regard to the possibility of there being conflicts of interest if any of the local attorneys were to be appointed Town Attorney. Motion was passed with a vote of 3 -ves and 1 no - Roy Aplin voting no.

MOTION FOR  
APPTS. &  
SALARIES

A motion was made by David Lyon, seconded by Nelson Cook to grant approval to the following appointments and respective salaries. Motion passed with 4 ayes and no nos:

APPOINTMENTS	NAME	SALARY	MOTION FOR APPTS. & SALARIES
Deputy Supervisor	John Lynn		
Town Attorney	Paul Rubery	\$3800.00	Annually
Town Historian	Lorene Warner	125.00	"
Town Constable	Francis Toole		
Zoning Enforcement Officer	Francis Toole	2000.00	"
Building Inspector	Francis Toole		
Dog Warden	Harold Fisher	Fee Re-imburement	
Water Dist. Superintendent	Harold Kruger	250.00	Annually
Water Dist. Cashier	Theresa Otte	240.00	"
Registrar of Vital Statistics	Betty Stubbings	Fee Re-imburement	
Deputy Registrar	Virginia Wilson		
Deputy Town Clerk	Virginia Wilson	3.50	Per hour
Bookkeeper	Virginia Wilson	3.80	"
Deputy Hwy. Superintendent	Lyman Kaller	5.26	"
Health Officer	Dr. Morton Adams	.15	per capita
Voting Machine Custodians	Wm. Deys, Finley Cox	100.00 each	annually
Election Inspectors		2.65	per hour
Fire Wardens	Ron Madsen, Harlin Tyler		

The hourly rates for the Town Crew are as follows: L. Kaller - \$5.26.  
 E. Verbridge - \$4.97, J. Crawford, N. DeMay, F. Lawson, J. Simizon and G. Woodard - \$4.82.

A motion was made by David Lyon, seconded by Bruce Wideman that the rate for mileage be set at \$.15 per mile. Motion passed with 4 ayes and no nos.

A motion designating the Courier-Journal of Palmyra as the Town's Official Newspaper was offered by Roy Aplin, seconded by Nelson Cook and passed with a vote of 3 ayes - David Lyon abstaining. Mr. Lyon made a statement that the Town did not get the coverage with the Courier-Journal as is received with the Newark Courier-Gazette and the Gannett papers of Rochester.

The motion setting the 2nd and 4th Thursdays of each month as the regular meeting nights for the Town of Palmyra was made by Nelson Cook, seconded by Bruce Wideman and passed with 4 ayes and no nos.

A motion designating Marine-Midland Bank - Rochester as the Official Depository for the Town of Palmyra was offered by Roy Aplin, seconded by David Lyon and passed with 4 ayes and no nos.

David Lyon made the Motion that the vouchers for the following items be paid prior to audit: Rent, Utilities, Hospitalization, Payrolls, Postage, Disability Insurance, and Social Security. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

The motion approving the price of gravel not to exceed \$.50 per cubic yard was made by Bruce Wideman, seconded by Nelson Cook and passed with 4 ayes and no nos.

A letter from Town Justice James Alsdorf concerning the amount of his salary for the year 1978 was read by the Clerk.

The motion to approve the appointment of Betty Stubbings as Registrar of Vital Statistics for the Town of Palmyra for 2 years was made by Nelson Cook seconded by David Lyon and passed with 4 ayes and no nos.

A motion that Supervisor Aplin continue as Budget Officer for the Town of Palmyra was offered by Bruce Wideman, seconded by Nelson Cook and passed with a vote of 3 ayes - Roy Aplin abstaining.

A motion to ban smoking at Town Board meetings and Public Hearings was made by David Lyon, seconded by Nelson Cook and was defeated by a tie vote - David Lyon and Nelson Cook voting aye and Bruce Wideman and Roy Aplin voting no.

The motion to approve the appointment of Bruce Wideman as Delegate to the Association of Towns Meeting in New York City in February was offered by Roy Aplin, seconded by David Lyon and passed with 3 ayes - Bruce Wideman abstaining.

MOTION RE:  
APPT. OF DEL.  
TO TNS.MTG.

The motion to approve the appointment of Nelson Cook as Alternate Delegate to the Association of Towns Meeting in New York City in February was made by David Lyon, seconded by Bruce Wideman and passed with 3 ayes - Nelson Cook abstaining.

MOTION TO  
CLOSE

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

Respectfully submitted,

Betty B. Stubbings  
Betty B. Stubbings, Town Clerk

**AFFIDAVIT OF PUBLICATION**

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

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

December 30, 1977

*Elizabeth M. Main*  
Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of Jan 1978

*Michael J. Senavara*  
Notary Public

Fee: \$ 16.53

WAYNE COUNTY CLERK'S OFFICE  
\$4.00

OWN OF PALMYRA  
PLEASE TAKE NOTICE  
that the Town Board of the  
Town of Palmyra will hold a  
Public Hearing at 7:30 P.M. on  
the 12th day of January 1978  
at the Town Office, 204 East  
Main Street, Palmyra, New  
York for the purpose of  
considering the application of  
Max  
Alberici, N.D., as Palmyra  
New York Special Author-  
ization for the property located  
on Main Road in the Town of  
Palmyra, County of Wayne, as  
an Airport for the following  
and limited flight instructions  
and limited time in tenance  
These premises are located in  
an Agricultural Zone and are  
bounded on the East by Main  
Road, on the South by lands of  
one Jackson, on the West by  
Shilling Road and on the North  
by lands of one Overlaw  
Under the Town of Palmyra  
Zoning Ordinance, Article II,  
Section 32, Paragraph 3, B  
Agricultural Zone states: Use  
of land other than for farm  
purposes requires Special  
Authorization of the Town  
Board.  
The Town Board will  
hear the application of  
the Department of Transpor-  
tation in support of this  
application.  
The Town Board will  
and times and place therefor  
for persons in support of the said  
application or any objections  
thereof, by some time, upon  
inspection of by attorney  
Dated December 23, 1977  
By Order of the Town Board  
of the Town of Palmyra  
Suzanne