

Town of Palmyra - Minutes

1979



January 4, 1979

ORGANIZATIONAL MEETING

The Organization Meeting of the Town Board of the Town of Palmyra was opened at 9:00 P.M. Thursday, January 4, 1979 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, Nelson Cook, David Lyon, and Bruce Wideman, and Town Clerk, Betty Stubbings.

Supervisor Aplin made the following appointments: Deputy Supervisor-Bruce Wideman and Bookkeeper-Virginia Wilson.

The following committees were named by the Supervisor:

HIGHWAY - David Lyon ASSESSMENT & ZONING - Bruce Wideman
WATER - Nelson Cook CEMETERIES - Roy Aplin
LANDFILL - Roy Aplin JOINT RECREATION COMM. -
 Nelson Cook & Edwin Wheeler

CONSOLIDATION OF TOWN & VILLAGE - Edwin Wheeler & Nelson Cook

A motion was made by David Lyon, seconded by Edwin Wheeler to appoint Paul Rubery as Town Attorney for the Town of Palmyra for 1979. Motion passed with 5 ayes and no nos.

A motion was made by Edwin Wheeler, seconded by David Lyon to grant approval to the following appointments and respective salaries. Motion passed with 5 ayes and no nos.

<u>APPOINTMENTS</u>	<u>NAME</u>	<u>SALARY</u>
Deputy Supervisor	Bruce Wideman	
Town Attorney	Paul Rubery	\$4000.00 annual
Town Historian	Lorene Warner	125.00 "
Town Constable	Francis Toole	Fee-reimbursement
Zoning Enforcement Off.	Francis Toole	\$2500.00 annual
Building Inspector	Francis Toole	plus mileage
Dog Warden	Harold Fisher	Fee-reimbursement
Water Dist Sup't.	Harold Kruger	280.00 annual
Water Dist. Cashier	Judith McIntyre	3.25/hr.
Deputy Town Clerk	W. Virginia Wilson	3.50/hr.
2nd Dep. Town Clerk	Judith McIntyre	3.25/hr.
Bookkeeper	W. Virginia Wilson	4500.00 annual
Dep Hwy Sup't.	Lyman Kaller	5.61/hr.
Health Officer(exp 7/79)	Dr. M. Adams	.15 per capita
Voting Machine Cust.	Wm. Deys, Finley Cox	\$120 ea. annual
Court Clerk	Margaret Reithel	500.00 ea. Justice
Election Inspectors		2.80/hr.
Fire Wardens	Ron Madsen, Harlin Tyler	
Sec'y-Pl. Bd. & Zoning Bd.	Margaret Reithel	3.25/hr.

The hourly rates for the Town Crew are as follows: L. Kaller-\$5.61, E. Verbridge-\$5.32, J. Crawford, N. DeMay, F. Lawson, J. Simizon and G. Woodard-\$5.17. Motion by Nelson Cook, seconded by Edwin Wheeler to approve the town crew rates as listed. Motion passed with 5 ayes and no nos.

A motion was made by David Lyon, seconded by Nelson Cook that the rate for mileage be set at \$.15 per mile. Motion passed with 5 ayes and no nos.

A motion designating the Courier-Journal of Palmyra as the Town's Official Newspaper was offered by Bruce Wideman, seconded by Roy Aplin and passed with a vote of 5 ayes and no nos.

The motion setting the 2nd and 4th Thursdays of each month as the regular meeting nights for the Town of Palmyra was made by Bruce Wideman, seconded by Roy Aplin and passed with a vote of 4 ayes and 1 no. Edwin Wheeler voting no.

A motion designating Marine Midland Bank - Rochester as the Official Depository for the Town of Palmyra was offered by David Lyon, seconded by Bruce Wideman and passed with 5 ayes and no nos.

MOTION RE:
ITEMS PAID
PRIOR TO
AUDIT

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 5 ayes and no nos.

MOTION RE:
PRICE OF
GRAVEL

The motion approving the price of gravel not to exceed \$.50 per cubic yard was made by Edwin Wheeler, seconded by Bruce Wideman passed with 5 ayes and no nos.

MOTION RE:
BUDGET OFF.
APPT

A motion that Supervisor Aplin continue as Budget Officer for the Town of Palmyra was offered by David Lyon, seconded by Bruce Wideman and passed with a vote of 5 ayes and no nos.

MOTION RE:
SMOKING BAN

A motion to ban smoking at Town Board meetings and Public Hearings was made by Edwin Wheeler, seconded by Nelson Cook and passed with a vote of 3 ayes and 2 nos. Edwin Wheeler, Nelson Cook and David Lyon voting aye and Bruce Wideman and Roy Aplin voting no.

MOTION RE:
DELEGATE &
ALT. TO ASSN
OF TOWNS

The motion to approve the appointments of Edwin Wheeler as Delegate and Nelson Cook as Alternate to the Association of Towns Meeting in New York City in February was offered by David Lyon, seconded by Bruce Wideman and passed with 5 ayes and no nos.

MOTION RE:
EXPENSES -
ASSN OF TOWN

A motion was made by Edwin Wheeler, seconded by David Lyon that the town pay expenses for attendance at the Association of Towns Meeting in New York City for all Town Board members, 1 member of the Planning Board, 1 member of the Zoning Board of Appeals, 1 member of the Assessment Board of Review, the Town Highway Superintendent, Assessor, Town Attorney, Town Clerk and Town Justices. Motion passed with a vote of 5 ayes and no nos.

MOTION RE:
LETTER TO
R. SCHWING

A motion was made by Bruce Wideman, seconded by David Lyon that Supervisor Aplin send a letter of appreciation to Roger Schwing. The motion was passed with a vote of 5 ayes and no nos.

LDLFL REP.
COMM. FORMED

David Lyon reported on his meeting with Marion regarding landfill possibilities. A committee including Edwin Wheeler, David Lyon and Roy Aplin was formed to work with the Marion group.

TOWN JUSTICE
APPT.

At this time, the Board turned its attention to the unexpired term of James Alsdorf. The Board, earlier in the evening, interviewed four applicants including James DePoint, William Abbott, Richard Rolland, and J.P. Hansel, Jr.

MOTION RE:
TN. JUSTICE
J. DE POINT
(LOST)

A motion was made by Edwin Wheeler to appoint James DePoint as Town Justice to fill the unexpired term of James Alsdorf. There was no second to the motion, therefore, the motion was lost.

MOTION RE:
TN. JUSTICE
W. ABBOTT

A motion was made by Nelson Cook to appoint William Abbott as Town Justice to fill the unexpired term of James Alsdorf. The motion was seconded by David Lyon. Discussion followed and the motion was passed with three ayes and two nos,

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 ~~Board of Directors~~ **TOWN BOARD** OF THE TOWN OF PALMYRA

of **NEW YORK**, at a meeting held on **JANUARY 4**, **1979**, 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:

Designation as
Depository

1. That Marine Midland Bank (herein called the "Bank") at such office or offices as may be designated by the President or Treasurer of this corporation be and hereby is designated a depository of this corporation 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 unqualifiedly indorsed by this corporation whether or not actually so indorsed).

2. That **SUPERVISOR, DEPUTY SUPERVISOR, TOWN CLERK (any two may sign)**

Authorized
Signature(s)

(Indicate manner of signing, i.e. any one, any two, jointly, etc. Use titles where practicable; if persons without titles, insert names.)
he and he (they) hereby is (are) authorized to make, sign, draw, accept, indorse, execute and deliver any and all checks, drafts, notes, acceptances, evidences of indebtedness, or orders for the payment of money of this corporation on deposit with the Bank; and the Bank be and hereby is authorized to make payments from funds of this corporation on deposit with it upon the Bank; and according to the terms of any such instrument when signed as above provided over the official title of such signer or over the inscription "Authorized Signature", and to receive the same to the credit of or in payment from the payee or any other holder, when so signed, without inquiry as to the circumstances of their issue or the disposition of their proceeds, whether drawn to the individual order of or tendered in payment of the individual obligations of any persons signing the same or of any other officer, agent or signatory of this corporation or otherwise.

Facsimile
Signature(s)

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

Other
Authority

(Indicate manner of signing, i.e. any one, any two, jointly, etc. Use titles where practicable; if persons without titles, insert names.)
he and he (they) hereby is (are) authorized on behalf of this corporation:

To discount with and to sell to the Bank any and all notes, drafts, bills of exchange or other evidences of debt, or contracts or obligations for or rights to the payment of money, whether or not negotiable, which may be owned by this corporation, upon such terms as such person or persons may deem proper; and when this corporation is liable on any of the foregoing, the Bank is hereby authorized to charge the same to the account of this corporation at or after maturity.

To borrow money and to obtain credit or other accommodation from the Bank on any terms;

To apply for letters or other forms of credit on any terms;

To pledge, mortgage, or otherwise create a security interest in or any other lien upon all or any property of this corporation as security for any loan, credit or accommodation from the Bank;

To authorize and request the Bank to purchase, exchange, sell, receive, deliver or otherwise deal in or with bonds or other securities and foreign exchange for the account of this corporation;

To enter into any agreement relating to any general or specific transaction with the Bank; and in connection with any of the foregoing, on behalf of this corporation to accept, receive, withdraw or waive notices or protests; to deliver and receive papers or property; to make, withdraw or waive any demand; and to make, execute and deliver notes, obligations, guaranties, indorsements, assignments, receipts, waivers, acquittances, indemnities, agreements and, without limitation, other instruments and property, as such officers, agents, or signatories, or any of them, acting pursuant to this authorization may in his or their discretion deem advisable.

Certification of
Signatures

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

Reliance and
Revocation

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

NAME	TITLE OF OFFICER	SIGNATURE
LEROY R. AFLIN	SUPERVISOR	<i>[Signature]</i>
BRUCE A. WIDEMAN	DEPUTY SUPERVISOR	<i>[Signature]</i>
BETTY B. STUBBINGS	TOWN CLERK	<i>[Signature]</i>

Witness my hand and the seal of the corporation this 12th day of JANUARY, 1979

[Signature]
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.

With Bruce Wideman, David Lyon, and Nelson Cook voting aye
and Roy Aplin and Edwin Wheeler voting no.

The motion to close this meeting was made by Nelson Cook, MOTION
seconded by Edwin Wheeler and passed with 5 ayes and no nos. TO CLOSE

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

January 11, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, January 11, 1979, in the Town Office, 204 E. Main St., Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Aplin, Town Councilmen Bruce Wideman, Nelson Cook, Town Attorney Paul Rubery, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine and Town Clerk Betty Stubbings.

BIDS FOR
LOADER
OPENED

The first item of business was the opening of the sealed bids requested by the Town of Palmyra for the furnishing of a new 1979 4-wheel drive diesel powered rubber tired Loader for use of the Highway Department, bids to be publicly opened and read at 7:30 P.M. as published. The Proof of Publication was read by the clerk. The following bids were opened and read by the Clerk:

1-Muttall Equipment Co., Sherman, N.Y. (Fiat-Allis Model 645B Loader)	Trade-In Bid Price	\$77,725.00 29,000.00 \$48,725.00
2-Monroe Tractor, Henrietta, N.Y. (Case W-24C)	Trade-In Bid Price	\$78,579.00 32,733.00 \$45,846.00
3-P-D Service, Inc., Pavilion, N.Y. (1979 Yale Model 2000-C)	Trade-In Bid Price	\$83,824.00 36,935.00 \$46,889.00
4-Ridings Equipment Corp., Rochester, N.Y. (1979 JD644B Loader)	Trade-In Bid Price	\$76,450.00 31,502.00 \$44,948.00
5-Jennings Ford Tractor, Inc., Fairport, N.Y. (Ford Model A66 Loader)	Trade-In Bid Price	\$78,500.00 34,500.00 \$44,000.00
6-Dow & Company, Inc., Rochester, N.Y. (1979 International Model 530)	Trade-In Bid Price	\$83,794.00 42,802.00 \$40,992.00
7-L.B. Smith, Inc., Spencerport, N.Y. (1979 Tenex Model 72-31B)	Trade-In Bid Price	\$81,375.00 26,531.00 \$54,844.00
8-Syracuse Supply Co., Rochester, N.Y. (1979 Caterpillar 950 Loader)	Trade-In Bid Price	\$84,929.00 31,196.00 \$53,733.00

BIDS CLOSED

Supervisor Aplin declared the bids closed at 7:40 P.M.

COMMUNICA-
TIONS

COMMUNICATIONS - The following communications were reviewed by the Board:
(1) A letter from Dale Marshall of the Voting Machine Service Center (2) Report on monies paid to the Town of Palmyra from the Wayne County Treasurer for 1978.

COMMITTEESCOMMITTEESZONING(Countryman)

Zoning - Zoning Officer Francis Toole reported that Mr. Countryman still has not complied with the Zoning Ordinance. The Town Attorney advised that Judge White will issue a bench warrant for Mr. Countryman.

(Herrmann)

Mr. Toole also reported that there is a possibility that Alan Herrmann on Route 31 is selling cars without permission from the Town or the State. Mr. Herrmann and his father will be served with a 10 day Notice of Violation.

(Junkyard)

The junkyard on Trolley Road operated by Wm. Hood is also in violation and a 10 day Notice of Violation will served in this case.

ASSESSMENT
MOTION TO
APPT. SEC.
FOR ASSESS.
OFFICE

Assessment - Bruce Wideman made the motion that Margaret Reithel be appointed as a temporary, part-time secretary beginning January 15, 1979 at the rate of \$3.25 per hour and be assigned to the Assessor's Office. The motion was seconded by Nelson Cook and discussion followed in regard to the appointment being temporary as the Supervisor is receiving applications for a CETA person. Motion passed with 3 ayes and no nos.

AFFIDAVIT OF PUBLICATION

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

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

.....December 25, 1978.....

.....December 29, 1978.....

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

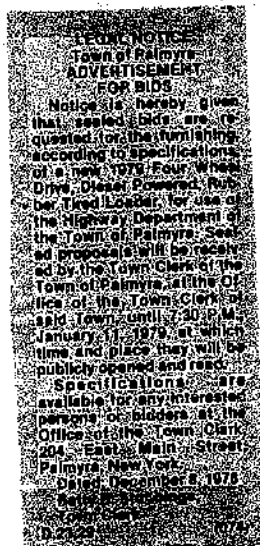
Subscribed and sworn to before me

this 12th day of JANUARY, 1979

.....*Roger M. Wallace*.....
Notary Public

Fee: \$16.17

ROGER M. WALLACE
Notary Public, State of New York
Qualified in Ontario County
My Commission Expires March 30, 1979



AFFIDAVIT OF PUBLICATION

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

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

December 29, 1978

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 12th day of January, 1979

Notary Public

ROGER M. WALLACE
Notary Public, State of New York
Qualified in Ontario County
My Commission Expires March 30, 1981

Fee: \$ 17.67

PUBLIC HEARING
TOWN OF PALMYRA
NOTICE IS HEREBY
GIVEN THAT A PUBLIC
Hearing will be held by the
Town Board of the Town of
Palmyra, County of Wayne,
State of New York on the
11th day of January 1979 at
8:00 P.M. in the Town Office,
100 East Main Street,
Palmyra, New York, to
consider the application of
Mark Moram for New York
State Special Authorization to
alter a non-conforming use on
land situated on Route 101
(Newark Road) in the
Agricultural Zone, but
located in the North
East Highway on the East
side of one Brundell and
one Halsey Road and on the
South and West by land of
the Applicant.
Special Authorization is
being requested under the
Zoning Ordinance of the
Town of Palmyra, New York.
Non-conforming use of
land. III, Section 12
Paragraph b. Use in
Agricultural Area and
III, Section 12
Paragraph c. Special
Authorization.
The above application is
on file in the Town Office,
100 East Main Street,
Palmyra, New York, and
any person desiring to
be heard at such hearing
should file a written
statement of his or her
objections or suggestions in
writing with the Board
prior to or at such hearing.
Date: December 22, 1978
By order of the
Town Board of the
Town of Palmyra,
New York.

At 8:00 P.M. Supervisor Aplin opened the Public Hearing scheduled for this time to consider the application of Mario Morganti for Special Authorization to extend a non-conforming use at his business, Car Ranch, Inc., Newark Road in the Town of Palmyra. David Saracino, attorney for Mr. Morganti, spoke to the Board in regard to this request for Special Authorization. He asked the Board to note that there was a correction in the size of the addition and referred to letters from Chrysler Corp. and the Town of Palmyra Planning Board. Mr. Saracino advised the Board that denial of the request would involve serious financial difficulties for Mr. Morganti, he needs this expansion to meet specifications from Chrysler Corp. for a franchise. The Town Board discussed this request for Special Authorization with Mr. Morganti and his attorney and the Clerk read the letters from Chrysler Corporation and the Planning Board. No one appeared to speak in opposition to this request. Supervisor Aplin declared the hearing closed.

PUBLIC HRC.
MORGANTI

HEARING
CLOSED

A motion was made by Bruce Wideman, seconded by Nelson Cook that the application of Mario Morganti - Car Ranch, Inc. for the addition of 3200 Square feet of floor area be approved as this extension does not increase the inherent nuisance and does not constitute a danger to the safety, health and welfare of the public. Motion passed with 3 ayes and no nos. Mr. Morganti will appear before the Zoning Board of Appeals at their next meeting to request a variance to the Zoning Ordinance in regard to an advertising sign.

MOTION TO
APPROVE M.
MORGANTI
REQUEST

Water - The Board turned their attention to the communication from Hershey - Malone Associates in regard to a Town-wide Water Study presented to the Board at the December 28th meeting. The proposal submitted by the Town Engineer was discussed at length - particularly, the pros and cons of utilizing the services of Bernard Donegan for determining the availability and/or criteria for grant or loan funds. The discussion included sources of water supplies and transmission from the sources, and possible financing assistance thru the County. A motion was made by Nelson Cook, seconded by Bruce Wideman to advise the Town Engineer to proceed with the Engineering study to up-date the Town-wide Water System but to leave out the services of Bernard Donegan for financial information for right now. Motion passed with 3 ayes and no nos. Supervisor Aplin will contact Town Engineer Malone in regard to proceeding with the Engineering study and will contact the Wayne County Planning Office to check on financing.

TOWN WIDE
WATER STUDY

MOTION TO
PROCEED
W/ENG.
STUDY TO
UP DATE

Chairman Nelson Cook spoke to the Board in regard to the need to make a decision concerning the Proposed East Water District. At the time the bids were rejected, the Town Engineer advised the Board to re-bid the project in January or February. The Board, along with the Town Attorney, discussed the possible financing for this project and when to advertise the bids. A motion was made by Nelson Cook, seconded by Bruce Wideman to advertise the bids February 1, 1979 - bids to be opened February 20th at 10 A.M. in the Town Office. The project is to be bid 2 ways - original proposal for \$124,000 and the alternate at \$94,000. Motion passed with 3 ayes and no nos.

PROPOSED
EAST
WATER DIST.

MOTION TO
ADV. BIDS

The Proposed Local Law on Potable Water Supply (Cross Connection) was discussed. The Town Attorney reported that he has sent a draft of this Proposed Local Law to Ron Rudio, Department of Health in Geneva, and the Town Board decided to defer further discussion until next meeting. Hopefully, Mr. Rudio will offer his recommendations by that time.

PROP. L.L.
POTABLE
WATER SUPP.

The Supervisor read a letter from Hershey Malone Associates concerning a Seminar to be held on Friday, January 26, 1979 at 10:00 A.M. in the Farmington Town Hall - subject will be "Asbestos cement pipe and risk of cancer". It is hoped a representative from the Town Board and the Town Water Superintendent will be able to attend.

SEMINAR
A/C PIPE
& CANCER

MOBIL HOME
PARK ORD.

Town Attorney Paul Rubery reported to the Board on the status of the Mobil Home Park Ordinance and spoke concerning the changes and recommendations being considered by the Planning Board.

HIGHWAY
LOADER BIDS
REVIEWED

MOTION TO
AWARD BID
TO DOW & CO.

Town Councilman Edwin Wheeler joined the meeting at this time, 9:18 P.M. Town Highway Superintendent James DeBrine came before the Board to discuss the bid opened earlier in the evening. Following a review of the bids, a motion was made by Nelson Cook, seconded by Edwin Wheeler to award the bid for the 1979 Loader to Dow & Company as recommended by Mr. DeBrine. Motion passed with 4 ayes and no nos.

LANDFILL
CONSOLIDATION

Landfill - Supervisor Aplin reported that everything is going smoothly. Consolidation - Chairman Edwin Wheeler spoke to the Board concerning the Carlock Rod & Gun Club which is reportedly still available for municipal or organization use.

CONCERN RE:
DELAY IN
REC. TAX
BILLS

Mr. Wheeler also expressed concern in regard to the 11 day delay in receiving the Town & County Tax bills and asked if an extension could be granted. The Board discussed this problem and the Supervisor reported that he has checked on this before and found that the law does not permit an extension. The Board decided to submit a Resolution to the County Board of Supervisors seeking action to alleviate the burden. The following Resolution was introduced by Edwin Wheeler, seconded by Bruce Wideman and was unanimously carried by the Town Board of the Town of Palmyra:

RESOLUTION
TO CO. BD.
OF SUPERVISORS

RE: TAX BILL
DELAY

WHEREAS, the real property tax bills have been received from the County of Wayne by the residents of the Town of Palmyra, 11 and 12 days after January 1st, for the second year in a row, and
WHEREAS, such a late delivery of the real property tax bills puts a burden on the taxpayers and they will not have the 30 full days to pay their real property tax bills without a penalty.
NOW, THEREFORE, BE IT RESOLVED:
That the Town Board of the Town of Palmyra hereby requests that the Board of Supervisors take such necessary action as to alleviate the burden placed upon the taxpayers because of the late delivery of the real property tax bills, and
BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra hereby specifically requests that the County of Wayne secure a release from the penalties and interest imposed on the taxpayers who pay their tax bills between the 1st day of February 1979 (the date they are due) and the 12th day of February 1979, so that they may enjoy the usual 30 days to pay their tax bills without penalties, and
BE IT FURTHER RESOLVED, that the County of Wayne be asked to take such precautions so that this same delay will not happen in the future.

The Annual Contracts with the Palmyra Kings Daughters Free Library and the Palmyra Community Center were discussed briefly by the Board.

MOTION TO
APPROVE
CONTR. W/
LIBRARY

A motion was made by Nelson Cook, seconded by Bruce Wideman to approve the Contract between the Town of Palmyra and the Palmyra Kings Daughters Free Library. Motion passed with 4 ayes and no nos.

MOTION TO
APPROVE
CONTR. W/
COMM. CTR.
MOTION TO
PAY BILLS
GEN. FUND

A motion was made by Bruce Wideman, seconded by Nelson Cook to approve the Contract between the Town of Palmyra and the Palmyra Community Center. Motion passed with 4 ayes and no nos.

MOTION TO
PAY BILLS
PART TOWN
FUND

The motion was made by Nelson Cook, seconded by Bruce Wideman to pay Vouchers #1 - 14 General Fund in the amount of \$2193.21 as shown on Abstract #1 - 1979. Motion passed with 3 ayes - Edwin Wheeler abstained.

MOTION TO
PAY BILLS
HWY. III &
HWY. IV

The motion was made by Edwin Wheeler, seconded by Nelson Cook to pay Vouchers #1 - 3 Part Town Fund in the amount of \$28094.40 as shown on Abstract #1 - 1979. Motion passed with 4 ayes and no nos.

The motion was made Bruce Wideman, seconded by Nelson Cook to pay Vouchers #1 - 10 Highway Item III in the amount of \$1309.42 and Vouchers #1 & 2 Highway Item IV in the amount of \$ 3586.00 as shown on Abstract #1 - 1979. Motion passed with 4 ayes and no nos.

The motion was made by Edwin Wheeler, seconded by Bruce Wideman to pay Voucher #1 Federal Revenue Sharing Fund in the amount of \$1722.00 as shown on Abstract #1 for 1979. Motion passed with 4 ayes and no nos.

7
MOTION
TO PAY
BILLS-FED.
REV. SHAR.

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

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

January 25, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. on Thursday, January 25, 1979 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 Clerk Betty Stubbings and Zoning Officer Francis Toole. Steve Jackson of the Courier-Journal and Betty Buck were also in attendance.

MOTION TO
APPR. MIN.
OF 12/7

The minutes of December 7, December 28 and January 4 have been received by the Board members but all the members have not had the opportunity to review all of the minutes. One part of the December 7th minutes concerning payment to Donald Schwartz for survey work was discussed. A motion was made by Edwin Wheeler, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of December 7, 1978. Motion passed with 4 ayes and no nos.

A communication from Burroughs Corporation in regard to a maintenance agreement for the Calculators was read by the Clerk and discussed by the Board but no action was taken at this time.

COMMITTEES

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

ZONINGCOUNTRYMAN

COMMITTEES
Zoning - Francis Toole reported that Judge Harry White gave Mr. Countryman, East Palmyra until February 12th at 7:30 P.M. to clean up the junk on his property.

JUNKYARD

The junkyard on Trolley Road is cleaned up. Supervisor Aplin contacted the Sheriff's Department in regard to towing away the unlicensed vehicles and at this point everything is cleaned up.

HERRMANN

Mr. Toole reported that he has checked the possibility of a business at Alan Herrmann's on Route 31 and found that there is a business registered at that address - A & H Motors. Mr. Herrmann's father, Ernest, is the leasee of the property according to the Syracuse Office of the New York State Department of Transportation, Canal Division. The Zoning Officer will work with the Town Attorney to get the Notices of Violations out to both Alan & Ernest Herrmann.

Mr. Toole also reported that he had received phone calls concerning questions on use of property, one located on Route 21 S. and the other in East Palmyra - the former Church property.

MOOSE CLUB
(Septic
system)

Ray Walker of the Palmyra Moose Club contacted the Zoning Officer in regard to the septic system for their building on Route 31. The plans for this system will be submitted to the Planning Board for approval.

DEMAREO

The Clerk reported that Mr. Samuel DeMareo requested some time before the Town Board to submit an application for permission to start a small business in the Town of Palmyra.

ASSESSMENTOFFICE
WORK &
SCHOOLING

Assessment - Chairman Bruce Wideman reported that Margaret Reithel started at the Assessor's Office on January 15th clearing up the paper work. Supervisor Aplin and Chairman Wideman both spoke concerning the schooling for Judson Ronney. It is expected there will be schooling for both Phase I and Phase II in the near future.

Supervisor Aplin spoke to the Board in regard to a Notice of Public Hearing from the New York State Department of Environmental Conservation on an Air Quality Implementation Plan.

HIGHWAY

Highway - Town Highway Superintendent James DeBrine approached the Board concerning the need to start now to order the mower attachment for the tractor considering the amount of time required to get it delivered. The Budget contains

a \$3000 appropriation to cover this machinery so no motion is necessary. Mr. DeBrine and the Board also discussed a possible transfer of funds - \$10,000 from Highway III to Capital Reserve Savings for Machinery. No action was taken at this time.

Water - Betty Buck, one of the petitioners for the Extension to the South Water District, came before the Board to question the possibility of applying for Federal Grants or loans for the Town Wide Water System and then include Canandaigua Road (South Water District) in the Town Wide System. General discussion followed.

WATER
EXT. TO
SO. W. DIST.

Zoning - The Board returned to Zoning at this time to consider Mr. Samuel DeMareo's request for Special Authorization to establish a Home Occupation (small engine repair) in an Agricultural area. After discussing this request with Mr. DeMareo, a motion was made by Edwin Wheeler, seconded by Nelson Cook to refer the application to the Planning Board for recommendations. Motion passed with 5 ayes and no nos. Notice of the Planning Board meeting will be sent to Mr. DeMareo.

ZONING
MOTION TO
REFER S. DE
MAREO'S RE-
QUEST TO PL
BD FOR REG.

Water - The Board returned to the business of the Water Committee and discussed generally (1) the billing for the Water Districts which is now being done in the Town Office, (2) the status of the Proposed East Water District and the advertising and opening of bids for the same and (3) the bill from Walter Pulcini for installing the water service at Newfang's on Meadow Drive. Chairman Nelson Cook will check on how the Town can take care of this problem and will report at the next meeting.

WATER
DISC. RE:
BILLING, PROP
E. WATER DIS
& PULCINI'S
BILL

There was a brief discussion on a Proposed Local Law - Potable Water Supply.

Landfill - Nothing to report at this time.

Joint Recreation Commission - Chairman Nelson Cook reported that the Town has been notified that the Project Application for a Community Park cannot be funded this year. Supervisor Aplin read a letter from V. Stallone, Jr. of the New York State Parks & Recreation Commission concerning these funds (LWCF grant awards). Following discussion, a motion was made by Edwin Wheeler, seconded by David Lyon to re-submit the application for BOR funding during the Federal Fiscal year 1980 which commences October 1, 1979. Motion passed with 5 ayes and no nos.

JOINT REC
MOTION TO
RE-SUBMIT
APPLIC. FOR
BOR FUNDS

Nelson Cook reported that the steel should be coming in February for the new Community Center building.

Supervisor Aplin reported that a Public Hearing on Community Development Funds for the Palmyra-Macedon-Marion area will be held January 30, 1979 at the Palmyra Village Hall at 3:00 P.M. and 7:00 P.M..

PUB. HRC.
C.D. FUNDS

Consolidation - Councilman David Lyon questioned the status of the consolidation of municipal offices - renovation of the Village Hall. Chairman Edwin Wheeler reported that he has heard nothing from the Village in regard to that proposal. The Board discussed the possibility of acquiring the Garlock Rod & Gun Club for use as a Town Office. Mr. Wheeler will check on this possibility and Nelson Cook offered to work with Chairman Wheeler. A report will be made at the next meeting.

CONSOLIDA.
COMM. TO
CHECK ON
GARLOCK
ROD & GUN
CLUB

Supervisor Aplin reported that he has been notified of the new officers of the Palmyra Community Center Board of Directors - President Gary LaBerge, Vice President Donald Storr, Secretary Lois Parsons and Treasurer Nancy Storr.

PAL. COMM. CT
OFFICERS

Unfinished business - Supervisor Aplin also reported that he presented the Resolution from the Town of Palmyra in regard to an extension of the deadline for paying Town & County taxes to the Wayne County Board of Supervisors. The Resolution will be before the State Legislature January 29th or 30th, and there is a good chance the extension will be granted. As soon as word is received at the County that the extension is granted, the Supervisors will be notified so they can inform the Tax Collectors. At this point it is not known if each Town will have to call a Special meeting to pass a Resolution extending the deadline. Edwin Wheeler suggested that this Board pass a Resolution at this time in case the extension is

RESOLUTION
RE: EXT. OF
DEADLINE
FOR TAXES

RESOLUTION

EST. FOR
PAYMENT OF
TOWN & CO.
TAXES

granted. Mr. Wheeler offered the following Resolution, seconded by Bruce Wideman. The Resolution passed with a vote of 5 ayes and no nos:

WHEREAS, the Town Board of the Town of Palmyra passed a Resolution requesting the Wayne County Board of Supervisors to take such necessary action as to alleviate the burden placed upon the taxpayers because of the late delivery of the Real Property Tax bills, AND WHEREAS, the Supervisor of the Town of Palmyra presented the Resolution from the Town of Palmyra to the Wayne County Board of Supervisors and the Wayne County Board of Supervisors by Resolution has requested the enactment of a Special Law waiving the penalties for the collection of taxes and it has been reported that the Special Law will be acted on favorable, NOW THEREFORE BE IT RESOLVED, that in the event the Special law or legislation waiving the penalties for non-payment of taxes is enacted, the Town of Palmyra does hereby authorize the collection of taxes without penalty for an additional period of 10 days but not later than February 10th at 6:00 P.M.

TELEPHONE
TOLL-FREE
AREAS

Mr. Aplin spoke to the Board in regard to Mr. Allen Horning of the New York Telephone Company appearing before the Wayne County Board of Supervisors to explain the extended toll-free areas in Wayne County. The toll-free area for Palmyra will include Macedon, Marion and Newark and will be implemented on March 31, 1979. While discussing this service being offered by the New York Telephone Company, Councilman Edwin Wheeler suggested that the Wayne County Board of Supervisors should investigate the possibility of installing a couple of telephone lines from Lyons to Newark in order for Palmyra residents to call Lyons toll-free for County business. Supervisor Aplin will take this suggestion to the Communications Committee at the County.

SUGGESTION
CONC. TEL.
LINE FROM
LYONS TO
NEWARK

MOTION TO
REC. & FILE
ANNUAL REP.

The Clerk presented the Annual Reports of the Supervisor, Town Clerk, Town Historian and Wayne County Treasurer to the Board for review. A motion was made by Bruce Wideman to receive and file these reports. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

MOTIONS TO
PAY BILLS

A motion was made by Bruce Wideman, seconded by Nelson Cook to pay Vouchers #15 - 33 General Fund as shown on Abstract #1A in the amount of \$3419.23. Motion passed with 5 ayes and no nos.

A motion was made by David Lyon, seconded by Nelson Cook to pay Vouchers #4 - 7 Part Town Fund in the amount of \$54.44 as shown on Abstract #1A. Motion passed with 5 ayes and no nos.

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to pay Vouchers #11-17 Highway Item III in the amount of \$1088.61 as shown on Abstract #1A. Motion passed with 5 ayes and no nos.

A motion was made by Nelson Cook, seconded by Bruce Wideman to pay Vouchers #3 - 7 Highway Item IV in the amount of \$9261.51 as shown on Abstract #1A. Motion passed with 5 ayes and no nos.

MOTION TO
ADJOURN

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

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town
Clerk

January 31, 1979

11

A Special Meeting of the Town Board of the Town of Palmyra was called by Supervisor Aplin to meet at 5:30 P.M. Wednesday, January 31, 1979 in the Town Office for the purpose of acting on the Resolution for the extension of taxes. A Special law or legislation was passed in both houses at Albany. Town Officers present were: Supervisor Aplin, Town Councilmen Edwin Wheeler, Nelson Cook and David Lyon, Town Attorney Paul Rubery and Town Clerk Betty Stubbings.

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

WHEREAS, the Town Board of the Town of Palmyra passed a Resolution requesting the Wayne County Board of Supervisors to take such necessary action as to alleviate the burden placed upon the taxpayers because of the late delivery of the Real Property tax bills, AND WHEREAS, the Supervisor of the Town of Palmyra presented the Resolution from the Town of Palmyra to the Wayne County Board of Supervisors and the Wayne County Board of Supervisors by Resolution requested the enactment of a Special law waiving the penalties for the collection of taxes, and it has been reported that the Special law was passed, NOW WHEREFORE BE IT RESOLVED, that considering that the Special law or legislation waiving the penalties for non-payment of taxes has been enacted, the Town of Palmyra does hereby authorize the collection of taxes without penalty for an additional period of 10 days but not later than February 10th at 6:00 P.M.

It was suggested that a letter be sent to the Wayne County Board of Supervisors thanking them for presenting the Resolution to Albany which resulted in the Special legislation being passed. The letter should also state that the County Board should take precautions so that this inconvenience to taxpayers doesn't happen in the future.

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

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

February 8, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, February 8, 1979 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman, Nelson Cook and David Lyon, Town Attorney Paul Rubery, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Steve Jackson of the Courier-Journal was also in attendance.

PUBLIC HRG.
LOCAL LAW
1 - 1979

(SEQR)

The Public Hearing scheduled for 7:30 P.M., February 8, 1979 in the Town Office, 204 East Main Street, Palmyra, New York to consider Proposed Local Law # 1 of 1979 which provides for Environmental Review of actions in the Town of Palmyra was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. No one appeared to speak in favor of or against the Proposed Local Law. The Board discussed this Local Law with the Town Attorney noting that the purpose of this Proposed Local Law is to implement for the Town of Palmyra the State Environmental Quality Review Act as set forth in Article #8 of the Environmental Conservation Law, Part 617 and Local Law # 1 of 1977 and updates the Local Law to bring it in line with the hearings held last fall by the Department of Environmental Conservation. The Supervisor also reviewed the list of projects put into the grandfather clause. The hearing was closed at 7:40 P.M..

HEARING
CLOSEDCOMMUNICATIONS

The following communications were presented to the Board for their review: (1) a letter from the New York Telephone Company in regard to the toll-free areas (2) Notice from New York State Department of Health concerning the Finger Lakes Water Works Conference on Public Water Supply and (3) Community Savings Bank- Community Re-Investment Act. Statement.

MOTION TO
APPR. MIN. OF
12/28, 1/4,
& 1/11

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to dispense with the reading of and approve as submitted the minutes of 12/28, 1/4, and 1/11. Motion passed with 5 ayes and no nos.

COMMITTEESCOMMITTEESZONING
MTG. NIGHT
FOR Z.B.-A

Zoning - The Clerk advised the Board of a change in the meeting night for the Zoning Board of Appeals. The meeting has been held on the 3rd Monday of the month and will now be held on the 3rd Tuesday of the month.

HERRMANN

Zoning Officer Francis Toole reported that papers have been served concerning the business being established without Special Authorization by Alan Herrmann on Route 31. Mr. Herrmann has been advised that he must make application to the Town Board for Special Authorization to establish a business at his place of residence in the Town of Palmyra.

JUNKYARD

Mr. Toole also reported that he had checked the junkyard on Trolley Road and found there are unlicensed vehicles parked in violation of the Zoning Ordinance. The Town Board, the Zoning Officer and the Town Attorney discussed this problem at length. The Town Attorney along with the Supervisor will contact the Wayne County Sheriff's Office to get their cooperation in this matter.

MOBILE HOME
PARK ORD.
REQ. LETTER
FR. PL. BD.
RE: REV. &
REC.

Bruce Wideman questioned the Town Attorney in regard to the Planning Board's recommendations concerning the Mobile Home Park Ordinance. Mr. Rubery advised the Board of the changes and recommendations discussed by the Planning Board. Mr. Wideman requested the Clerk to send a letter to the Planning Board stating that the Town Board would appreciate receiving the revisions and recommendations of the Planning Board concerning the Mobile Home Park Ordinance no later than March 22nd.

N.Y. STATE
BLDG. CODE

The New York State Building Code was discussed and the Clerk was requested to send for copies of the booklet in order for members of the Town Board and the Planning Board to each have a copy.

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

....January 19, 1979.....

Rossie J. Manton
Foreman of the Publisher

Subscribed and sworn to before me

this.....19th.....day of.....January.....1974.....

Clint W. Mendenhall
Notary Public

Fee : \$ 11.97

Mr. Wideman spoke to the Board in regard to the CETA Program (Canal Restoration) sponsored by the Town of Palmyra last year. He stated there is funding available to continue with this project and he would like some direction from the Town Board as the application for funds has to be filed by March. This project and problems relating to it were discussed at length by the Board. A motion was made by Nelson Cook, seconded by Edwin Wheeler that the Town of Palmyra accept and sponsor the CETA Program for the Canal Restoration in 1979 and that Bruce Wideman proceed with the application for funds. Motion passed with 5 ayes and no nos.

13
CETA -
CANAL
RESTOR.
MOTION TO
SPONSOR
PROGRAM FOR
1979

David Lyon questioned how the situation was in regard to the outstanding bills from the 1978 project. Mr. Wideman reported there are still some bills yet to be paid. This matter was discussed at length. A motion was made by Edwin Wheeler, seconded by Nelson Cook to pay the outstanding bills in the amount of \$304.30 for the Canal Restoration Project from Federal Revenue Sharing Funds. Motion passed with 4 ayes - Bruce Wideman abstained.

MOTION TO
PAY OUTST.
BILLS FROM
FED. REV. SHR

Highway - Nothing to report at this time.

Water - Chairman Nelson Cook reported to the Board concerning his checking on the bill from Walter Pulcini for the installation of the Water Service for Newfange on Meadow Drive. He checked back and found that the cost for the last water service installed for Haaks on Maple Avenue was also over the \$200 charged by the Town for water service installation. Mr. Cook stated that when he attended the Finger Lakes Water Works Conference he discussed this matter with representatives from other towns in the area and found that Macedon is charging \$250, Walworth - \$350 and Marion, who bids out their water installations, reported that some of their installations are running as high as \$600. Chairman Cook also reported that the Town of Palmyra has no contract or Rules & regulations to cover Water service installation. Mr. Cook and Harold Kruger, Water District Superintendent, both recommend that the Town of Palmyra buy the materials necessary for the installation and pay only for the labor involved. They also suggest that the Town set up Rules and Regulations for the installation of water services. General discussion followed. A motion was made by Edwin Wheeler, seconded by Bruce Wideman that the Town of Palmyra bill each water service separately and the person requesting the installation will pay all installation costs. Motion passed with 5 ayes and no nos. More discussion followed with the Town Attorney advising that the Town might want to consider requesting a deposit with the application for installation of water service. A motion was made by Edwin Wheeler, seconded by Bruce Wideman that any request for a water service hookup be billed at actual cost basis and a deposit of \$300 accompany the application for water service. Motion passed with 5 ayes and no nos. Chairman Nelson Cook will present some rules and regulations for installation of water service in the Town of Palmyra at the next meeting.

WATER
DISC. RE:
WATER SERV.
INSTALL.

MOTION TO
BILL EACH
WATER SERV.
SEPAR.

MOTION TO
REQ. \$300
W/APPLIC.
FOR WATER
SERV.

Mr. Cook reported that the bids for the construction of the Proposed East Water District will be opened on February 20th in the Town Office.

Mr. Bernard Donegan has been contacted in regard to the financing for the Proposed District.

Mr. Cook reported that he attended a Seminar on asbestos pipe and risk of cancer meeting was held at the Farmington Town Hall. He also attended the Finger Lakes Water Works Association meeting in Macedon and makes the recommendation that the Town of Palmyra join the Finger Lakes Water Works Association.

REPORT
OF MTGS.
ATTENDED

Supervisor Aplin reported that he contacted the Village in regard to acquiring the Address-O-Graph plates for the water billing but he has received no answer at this time. Mr. Aplin advised, however, that for a small cost labels can be made available for use in water billing.

WATER
BILLING

The Board also discussed where there are funds available for paying the Water District Superintendent and the Water Cashier.

Landfill -- There will be a meeting on February 13th at the Marion Town Hall at 7:30 P.M. to discuss Transfer Station information.

Joint Recreation Commission - Nothing to report at this time.

Consolidation of Town & Village - Chairman Edwin Wheeler reported that he understood the Town was to receive a letter from the Village in time for the Town Board meeting concerning information on costs (rent, etc.) for space in the Village Hall, but nothing has been received from the Village at this time.

Supervisor Aplin reported that he sent a letter to Jack Lynn, Garlock, Inc. in regard to the offer of the Garlock Rod & Gun Club to the Town for use as offices, and asked for a meeting to be set up with representatives of Garlock's and the Town Board to look over the facilities. General discussion followed.

The Town Clerk presented the Delinquent Dog Owner's list to the Board for their review. This list will be sent to the Department of Agriculture & Markets - Dog Licensing Bureau as required by State Law.

A motion was made by Bruce Wideman, seconded by Edwin Wheeler to approve payment of bills paid prior to audit in the amount of \$3060.69 as shown on Abstract # 1B. Motion passed with 5 ayes and no nos.

A motion was made by Nelson Cook, seconded by Bruce Wideman to pay Vouchers #42-57 General Fund in the amount of \$1272.67 as shown on Abstract #2. Motion passed with 5 ayes and no nos - Edwin Wheeler abstained on Voucher #42.

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to pay Vouchers #8-12 Part Town Fund in the amount of \$33,735.62 as shown on Abstract # 2. Motion passed with 5 ayes and no nos.

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to pay Vouchers #18-26 Highway Item III in the amount of \$2378.53 as shown on Abstract # 2. Motion passed with 5 ayes and no nos.

A motion was made by Bruce Wideman, seconded by Nelson Cook to pay Vouchers #8 - 12 Highway Item IV in the amount of \$12,458.40 as shown on Abstract # 2. Motion passed with 4 ayes and 1 no - Edwin Wheeler voting no.

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to pay Vouchers # 2-3 Federal Revenue Sharing Fund in the amount of \$1014.00 as shown on Abstract #2. Motion passed with 5 ayes and no nos.

A motion was made by Bruce Wideman, seconded by Edwin Wheeler to pay Voucher #2 North Water District in the amount of \$1.38 as shown on Abstract #2. Motion passed with 5 ayes and no nos.

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to pay Voucher #2 South Water District in the amount of \$.74 as shown on Abstract #2. Motion passed with 5 ayes and no nos.

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

REQ. TO
LOOK AT
GARLOCK
R. & G.
CLUB

DELINQ. DOG
LIST

MOTIONS

TO PAY

BILLS AS

SHOWN ON

ABSTRACTS

-#1B-2-

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

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

.....August 17, 1979.....

this 30 day of Aug. 19 79

Fee : \$ 17.96

8.

PLEASE TAKE NOTICE THAT, a resolution has been adopted by the Town of Palmyra to consolidate the Maple Avenue Water District and the Division Street Water District into a consolidated water district to be known as the North Water District. The future cost of operation, maintenance and improvements of said new district shall be paid on an ad valorem basis and borne by all the taxpayers of the new consolidated district. There is no bonded indebtedness.

This resolution was adopted on 9th day of August, 1979, after a public hearing. It is subject to a permissive referendum on a petition to be filed within 30 days of the date of the adoption of this notice, if signed by 50% of the qualified voters in that district requesting that it be submitted to the qualified voters of the district affected. The resolution shall be effective 30 days from adoption unless the petition is filed then only on the affirmative vote of a majority of the taxpayers. The consolidation shall be completed on December 31, 1979.

WHEREAS, the Division Street Water District
which is 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, and bounded and described as
follows, viz:

Beginning at an angle point in the Maple Avenue
Water District, said point being the intersection
of the north highway line of Walton Road and a
line parallel with the centerline of Maple Avenue
and 500 feet easterly therefrom; thence northerly
along the east boundary of the Maple Avenue Water
District to a point formed by the intersection of
a line drawn at right angles to the centerline of
Division Street, 1898 feet north from the centerline
of the New York Central Railroad crossing of
Division Street just north of Walton Road and
measured along the centerline of Division Street
and the east boundary of the Maple Avenue Water
District; thence easterly along a line perpendicular
to the centerline of Division Street, said line being
1898 feet north from the centerline of the New York
Central Railroad crossing of Division Street just
north of Walton Road and measured along the center-
line of Division Street, to the centerline of Red
Creek; thence southerly, westerly, southerly and
easterly along the centerline of Red Creek to a
point formed by the intersection of the centerline
of Red Creek and a line parallel with the centerline
of Division Street and 500 feet easterly therefrom,
measured at right angles to the centerline; thence
southerly along a line parallel with the centerline
of Division Street and 500 feet easterly therefrom
to the north boundary of the Village of Palmyra;
thence westerly along the north boundary of the
Village of Palmyra to the eastern-most boundary of
the Maple Avenue Water District; thence northerly
along said eastern-most boundary of the Maple Avenue
Water District to an angle point in the Maple Avenue
Water District; thence westerly along the north
highway line of Walton Road, said line also being a
boundary of the Maple Avenue Water District, to the
point of beginning,

was created to supply water to the residents thereof by an order
of the Town Board of the Town of Palmyra on the 18th day of
September 1961, and which order is duly filed in the office of
the Town Clerk of the Town of Palmyra, and

WHEREAS, the Maple Avenue Water District which is
bounded and described as follows:

Beginning at a point in the assumed north boundary line of the public highway known as Walton Road at its point of intersection with the line parallel with and 100 feet westerly from the center line of the public highway known as Division Street; thence (1) southerly along said line 100 feet west from the center line of Division Street to its intersection with the northerly line of lands of the State of New York appropriated for Barge Canal purposes, thence (2) southwesterly, westerly, northwesterly and westerly along the various courses of the northerly line of the Barge Canal property to a point in the east boundary line of the public highway known as Maple Avenue; thence (3) northerly along the east boundary line of Maple Avenue to the point of intersection with the south boundary line of Walton Road; thence (4) westerly along the south boundary line of said Walton Road to a point five hundred (500) feet west of the center line of Maple Avenue; thence (5) northerly along the line parallel with and five hundred (500) feet westerly from the center line of Maple Avenue to a point opposite the point in the center line of Maple Avenue distant five thousand six hundred forty (5640) feet northerly from the center line of Walton Road measured along said center line of Maple Avenue; thence (6) easterly passing through said point five thousand six hundred forty (5640) feet northerly along the center line of Maple Avenue from the centerline of Walton Road to a point five hundred (500) feet easterly of the center line of Maple Avenue; thence (7) southerly parallel with and 500 feet easterly from the center line of Maple Avenue to a point in the assumed north line of the highway known as the Walton Road to a point five hundred (500) feet east of the center line of Maple Avenue; thence (8) easterly along the assumed north line of the highway known as the Walton Road to the point and place of beginning,

was created to supply water to the residents thereof by an order of the Town Board of the Town of Palmyra on the 12th day of January 1950 and which order was duly filed in the office of the Town Clerk of the Town of Palmyra, and

WHEREAS, there are no separate commissioners for each of said districts and the Town Board acts for each district, and

WHEREAS, each district has paid for the improvements constructed within the district and has no bonded indebtedness and each user of water within said districts pays the same amount for water, and

WHEREAS, certain requirements imposed by the State of New York and our contract obligations with our supplier dictates that there will be possible economies, and

WHEREAS, each of such districts is taxed on an ad valorem basis and located wholly within the Town of Palmyra, and

WHEREAS, the consolidation of said districts into one new district to be known as the North Water District with the further cost of operation and maintenance and improvements to be paid by assessments using an ad valorem basis, and

WHEREAS, a public hearing was duly held on the 9th day of August, 1979, at the Town Clerk's Office at which

and the Town Board upon the evidence before it as presented at said public hearing and upon motion duly made by Nelson Cook and seconded by David Lyon and unanimously carried as follows,

BE IT RESOLVED THAT, the Maple Avenue Water District and the Division Street Water District shall be consolidated as a single district to be known as the North Water District, and

BE IT FURTHER RESOLVED THAT, the cost of operation and maintenance and improvements of the consolidated district shall be financed on an ad valorem basis as well as all future assessments, and

BE IT FURTHER RESOLVED THAT, this resolution is adopted subject to a permissive referendum, and

BE IT FURTHER RESOLVED THAT, the Town Clerk shall give notice within ten days of the adoption of the said resolution in the town paper and by posting the same on the Town Clerk's bulletin board and the fact that the resolution is subject to a permissive referendum, and

BE IT FURTHER RESOLVED THAT, this resolution shall take effect 30 days after adoption or after approval by an affirmative vote if a petition for a referendum is filed whichever shall be later and the district shall be consolidated as of December 31, 1979. (If after October , it will be December of next year.)

PLEASE TAKE NOTICE THAT, a resolution has been adopted by the Town of Palmyra to consolidate the Johnson Road Water District and the Canandaigua Road Water District into a consolidated water district to be known as the South Water District. The future cost of operation, maintenance and improvements of said new district shall be paid on an ad valorem basis and borne by all the taxpayers of the new consolidated district. There is no bonded indebtedness.

This resolution was adopted on 9th day of August, 1979, after a public hearing. It is subject to a permissive referendum on a petition to be filed within 30 days of the date of the adoption of this notice, if signed by 50% of the qualified voters in that district requesting that it be submitted to the qualified voters of the district affected. The resolution shall be effective 30 days from adoption unless the petition is filed then only on the affirmative vote of a majority of the taxpayers. The consolidation shall be completed on December 31, 1979.

WHEREAS, the Johnson Road Water District which is bounded and described as follows:

Beginning at the point in the south corporation line of the Village of Palmyra, where the west property line of the property now owned or occupied by Herbert G. Hye projected northerly in a straight line would intersect the said south corporation line of said Village of Palmyra and which said point is approximately 216 feet westerly from the center line of Foster Street, thence (1) southerly to the northwest corner of said Hye property and continuing southerly along the west or rear line of said Hye property and the various premises to the south until said line would be intersected by the center line of Foster Street projected westerly; thence (2) southerly on a line parallel with and 500 feet westerly from the center line of Johnson Road 1000 feet to a point; thence (3) easterly at right angles with course (2), 1000 feet to a point, which point is also 500 feet easterly from the center line of Johnson Road; thence (4) northerly on a line parallel with and 500 feet easterly from the center line of Johnson Road, approximately 1275 feet to the point of intersection of this line with the south corporate line of the Village of Palmyra at a point which is 500 feet measured easterly from the center line of the Johnson Road; thence (5) westerly along the south corporation line of the Village of Palmyra to the point and place of beginning.

was created to supply water to the residents thereof by an order of the Town Board of the Town of Palmyra on the 14th day of September 1949, and which order is duly filed in the office of the Town Clerk of the Town of Palmyra, and

WHEREAS, the Canandaigua Road Water District which is bounded and described as follows:

Beginning at the point of intersection of the center line of Canandaigua Road with the southerly boundary line of the Village of Palmyra, thence (1) easterly along the southerly boundary line of the Village of Palmyra, 500 feet to a point; thence (2) southerly parallel to and 500 feet easterly from the center line of Canandaigua Road to its point of intersection with a line at right angles to the center line of Canandaigua Road at a point 2756 feet southerly from the south boundary line of the Village of Palmyra, measured along the center line of Canandaigua Road; thence (3) westerly at right angles to the center line of Canandaigua Road and passing through said point 2756 feet southerly from the village line, 1000 feet to a point; thence (4) northerly on a line

parallel to and 500 feet westerly from the center line of Canandaigua Road to the southerly boundary of the Village of Palmyra; thence (5) easterly, 500 feet along the southerly boundary line of the Village of Palmyra to the point of beginning.

was created to supply water to the residents thereof by an order of the Town Board of the Town of Palmyra on the 15th day of September 1948 and which order was duly filed in the office of the Town Clerk of the Town of Palmyra, and

WHEREAS, the Canandaigua Road Water District was extended by an extension known as the Bear Hill Extension by an order of the Town Board of the Town of Palmyra dated June 9, 1960, which extension is 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:

Beginning at a point on the southerly corporation line of the Village of Palmyra at its intersection with the eastern boundary of the existing Canandaigua Road Water District, said eastern boundary being a line parallel to and 500 feet distant from the water line to the Village of Palmyra in Canandaigua Road (Route No. 21); thence easterly along the aforementioned corporation line 750 feet more or less to a point; thence southerly 470 feet more or less to a point which is S 77° 33' E 250.00 feet from the northwesterly corner of Lot No. 11 Bear Hill Subdivision and continuing on the same course southerly 980 feet more or less to a point which is S 80° 47' E 250.00 feet from the southwesterly corner of Lot No. 19 Bear Hill Subdivision; thence N 80° 47' W along the southerly line and the southerly line extended of said Lot No. 19, 720 feet more or less to a point on the easterly boundary of Canandaigua Road Water District; thence northerly along the eastern boundary of said Water District 1480 feet more or less to the point of beginning, according to a plan by Harnish & Lookup dated March 22, 1960.

WHEREAS, there are no separate commissioners for each of said districts and the Town Board acts for each district, and

WHEREAS, each district has paid for the improvements constructed within the district and has no bonded indebtedness and each user of water within said districts pays the same amount for water, and

WHEREAS, certain requirements imposed by the State of New York and our contract obligations with our supplier dictates that there will be possible economies, and

WHEREAS, each of such Districts is taxed on an ad valorem basis and located wholly within the Town of Palmyra, and

WHEREAS, the consolidation of said districts into one new district to be known as the South Water District with the further cost of operation and maintenance and improvements to be paid by assessments using an ad valorem basis.

NOW THEREFORE BE IT RESOLVED, upon motion duly made by NELSON COOK seconded by EDWIN

WHEELER and unanimously carried that the Town Board shall hold a hearing to consider the consolidation of said districts and the continuance of the cost of operation, maintenance and improvements of said districts on an ad valorem basis.

BE IT FURTHER RESOLVED, that the Town Clerk shall cause to be published in the town newspaper a notice of a hearing not less than ten days prior to the hearing which will be held at the Town Clerk's Office on the 9th day of AUGUST 1979, at which time all interested persons will be heard on the proposed consolidation of the Johnson Road Water District and the Canandaigua Road Water District into a consolidated water district to be known as the South Water District and that the residents of both districts shall share the cost, operation, maintenance and improvements of said district on an ad valorem basis as will all future assessments.

AFFIDAVIT OF PUBLICATION

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



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

Nov. 16, 1979

Rosalie J. Mouton
Foreman of the publisher

Subscribed and sworn to before me

this 16 day of Nov 1979
Michael J. [Signature]
Notary Public

Fee: \$5.49

AFFIDAVIT OF PUBLICATION

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

NOTICE OF ADOPTION
TOWN OF PALMYRA
NOTICE IS HEREBY
GIVEN THAT THE TOWN BOARD
of the Town of Palmyra
adopted the following
BUDGET FOR 1979-80
presented at their regular
meeting held Thursday
November 8, 1978 in the
Town Office, 204 East Main
Street, Palmyra, New York
Betsy N. Stebbins
Town Clerk

335

N-16

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

Nov. 16, 1979

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 19 day of Nov 1979
Michael J. [Signature]
Notary Public

Fee: \$ 5.80

PAID BY [Signature] 81

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK

County of Wayne

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

Feb. 2, 1979

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 14th day of February 1979

Robert H. Mumby
Notary Public

Fee: \$29.07

ELMER B. MUMBY, Robert H. Mumby
For the State of New York
Qualified in Wayne County
My Commission Expires March 30, 1980

CJ7-012-DLG

Dated February 1, 1979
TOWN OF PALMYRA
WAYNE COUNTY
NEW YORK
Mrs. Betty Stubbings
Town Clerk

F-2 (106)

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK,

County of Wayne

ss:

NOTICE OF THE TOWN BOARD OF THE TOWN OF PALMYRA, NEW YORK, OF THE FOLLOWING REVISED RULES AND REGULATIONS GOVERNING THE USE AND SUPPLY OF WATER FOR ALL WATER DISTRICTS WITHIN THE TOWN OF PALMYRA, REVISED NOVEMBER 1978.

RULES AND REGULATIONS GOVERNING THE USE AND SUPPLY OF WATER FOR ALL WATER DISTRICTS WITHIN THE TOWN OF PALMYRA, REVISED NOVEMBER 1978.

1. RULES - PART OF CONTRACT. Every person who shall be supplied, or whose property shall be supplied with water by the Town of Palmyra, shall be deemed to have accepted and approved the Rules and Regulations governing the supply of water, and the same shall constitute a part of the contract between such person and the Town Board. Whatever the word "consumer" shall be used in the Rules and Regulations, it shall mean the owner or owners of the premises. The continuance of the consumer to take water after any amendment or change of these rules shall be deemed an acceptance of such amendment or change. The Town Board reserves the right at any time to rescind, modify, alter, and amend these Rules and Regulations, rate schedules, and charges governing the furnishing of water to customers. A copy of said Rules and Regulations shall be on file at the Town Clerk's Office at all times and shall be the current rules then in effect.

2. WORK TO BE DONE BY WATER DISTRICT. All service connections with the principal mains and service pipes from said principal mains to approximately 1 foot from lot line, including stoppage of main, corporation cock, curb cock and box for same shall be put in and installed only by properly authorized persons acting under the direction of the Town Board at the expense of the consumer.

3. WORK TO BE DONE BY CONSUMER UNDER SUPERVISION OF TOWN FROM CURB COCK TO METER. All connections from curb cock to the meter, whether located within the cellar or such other convenient place as approved by the Town shall be done by the consumer at his own cost and expense, under the supervision of the Town Water Superintendent or Town Engineer and all installations shall be subject to approval by the Town Board before water shall be turned on.

4. AGENT OF OWNER. The plumber or any other person designated and employed by the owner of the premises will be considered the agent of such owner while employed in the prosecution of the work of introducing water into such premises, and in no sense as the agent of the Water District. Plumbers

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

March 7, 1980

Rosalia L. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 10 day of Mar 1980
Michael J. Hagan
Notary Public

Fee: \$ 324.83

CJ7-012-DLQ

AFFIDAVIT OF PUBLICATION

STATE OF
County of

...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 7, 1980

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me
this 10 day of Mar 1980
Michael J. P... ..
Notary Public

Fee: \$ 324.83

CJ7-012-DLQ

...must be made...
...separate meter must be...
...installed for each premises...
...and the owner of each...
...premises shall be required...
...to pay a separate and full...
...scale of water rate for each...
...separate use of water on his...
...premises, no separate use...
...being service supplied for...
...a. A single dwelling...
...occupied by members of a...
...single family who share...
...common bathing, washing...
...and sanitary facilities...
...b. Any separate dwelling...
...unit in a single structure...
...occupied by a single family...
...or household sharing...
...common bathing, washing...
...and sanitary facilities...
...to the exclusion of other...
...occupants of the same...
...structure...
...c. Any portion of any...
...premises occupied by a...
...separate business or other...
...enterprise...
...maintaining any water...
...facilities for the practical...
...exclusion of any other...
...occupant of the same...
...premises. A farm building...
...on any farm which is used...
...substantially and ex...
...clusively in connection with...
...the operation of such farm...
...shall not require a separate...
...application for meter...
...provided water service is...
...supplied to the dwelling on...
...such farm.

6. MATERIAL OR SERVICE PIPE: The service pipe between the curb cock and meter, wherever located, shall be pipe approved by the Town Board and be not less than 3/4" class "K" copper or 3/4" plastic high density polyethylene classified as PE 3306 160 psi pressure rating or other acceptable plastic pipe or Acrylonitrile Butadiene Styrene (ABS) pipe and polyvinyl chloride NSF CC-256 (PVC) pipe.

7. OPENING OF CURB COCKS: The curb cock controlling any service shall not be opened by any person after connecting said service at the curb so that water may be supplied.

AFFIDAVIT OF PUBLICATION

STATE
Co

SERVICE PIPE AND COCKS. The customer of property into which water is introduced by a service pipe will be required to maintain in perfect order at his own expense the said service pipe from the corporation cock to the meter on or for his premises including all fixtures therein provided for delivering or supplying water for any purpose. In case such service and fixtures are not kept in repair the Town Board or its representative may cause to have all necessary repairs and renewals or replacements made with all expenses paid by the customer.

STOP AND WASTE COCKS. Just inside of the building or structure into which the service pipe extends a stop and waste cock shall be conveniently located in order to drain the meter or in such other convenient place as the Water Superintendent may approve.

INSPECTORS MAY ENTER PREMISES. The Water Superintendent, Town officers or employees of the Water Department upon presentation of proper credentials may enter upon any premises where water is being supplied by the Town or upon any premises

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

March 7, 1980

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 10 day of Mar 1980
Michael J. [Signature]
Notary Public

Fee: \$ 324.83

12. INSPECTORS MAY ENTER PREMISES.

The Water Superintendent, Town officers or employees of the Water Department upon presentation of proper credentials may enter upon any premises where water is being supplied by the Town upon any premises when application is made to a permit to connect plumbing with the water service for the purpose of installing, reading, repairing or replacing meters or for inspecting plumbing and fixtures of the water service.

13. SHUTTING OFF SUPPLY. In the case of making or constructing new work, in making repairs or leakage tests, the right is reserved to shut off the water from any consumer without notice for as long as may be necessary. No water district, its employees or their town shall be liable for any damage which may result to any person, property or premises from shutting off the water from any main or service for any purpose whatsoever, even in cases where no notice is given.

14. CHANGE OF PRESSURE. The water district for the Town of Palmira shall not be liable for any damage or loss of any kind to property or persons which may arise from or be caused by any change, either increase or decrease in pressure of water supplies from any cause whatsoever, including negligence on the part of the Water Department, its agents, servants or employees.

Customers are cautioned to make adequate provisions against the collapse or damage to their boilers because of the lack of pressure. Customers water system shall be fitted with a suitable check valve to prevent damage in case the water is suddenly drawn off from the main pipe.

15. ALL SERVICES TO BE METERED. All water furnished through service pipes, whether for residential, commercial or industrial use, shall be metered. No meter shall be set or removed or disturbed except by the Water Superintendent or his representative. All meters shall be furnished and installed by the Water Superintendent or Town Engineer representative upon receipt of the minimum connection and inspection fee established by the Town Board. The Water Superintendent shall specify the location and height of the meter above the finished floor of the premises or other location as it may deem proper. Water meters shall be rented to the customer at a fee established by the Town Board.

16. TESTING METERS. Any municipal water meter shall be taken out and tested upon complaint of the consumer upon payment of a fee of twenty (20) dollars. If upon test of the meter it is not within two percent of being accurate it shall be repaired or replaced and the twenty dollar fee returned to the customer.

17. SERVICES OVER 220 FEET IN LENGTH. All new water services being 220 feet or more in length shall have a water meter installed in a meter pit at the right-of-way limit line of property. All meter pits shall be furnished and installed by the customer or his representative at the property line upon receipt of a permit for the work.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

20. METER BILLS. Bills for metered water shall be paid monthly, and shall be rendered on or before the 15th day of March, June, September, and December in each year, which bills are rendered, shall be increased ten per centum as a penalty for failure to pay promptly. Failure to receive a bill shall not act as a waiver of said penalty. In case of inability to read a meter, an estimated bill will be submitted to the consumer.

21. ABATEMENTS. No abatement of the charge for water or meter rentals shall be allowed on account of the vacancy of premises and premises supplied with water, unless the water supply is turned off by the water superintendent or his representative, and the meter is removed. For such suspension of service there shall be a charge to be fixed by resolution of the town board.

22. UNPAID CHARGES. All charges for water service, pipe, installations, repairs, damages caused by carelessness or neglect, penalties, etc., shall be made against the premises supplied and the customer of the premises shall be held responsible therefor. Such charges, if not paid, shall be a lien on the property benefited. All such unpaid charges shall be added to the next general tax against the property failure to pay within sixty (60) days from the due date shall result in disconnection of service. Service shall be restored upon receipt in full of the total unpaid charges, and with an additional charge for reconnection.

23. CONTROL OF HYDRANTS. All street or road hydrants, or hydrants for private use, or hydrants for fire protection, or service lines are under the control of the water department. No person, except an authorized agent or employee of the water department, or a person permitted by the town board, to take water therefrom, shall operate, use or disturb any hydrant or any part thereof, or take any water therefrom under any circumstances, whatsoever, except fire companies for use to control, prevent or extinguish fires.

24. DAMAGE TO HYDRANT. In case any damage to a street or road hydrant is caused by any person or his agent having a permit for taking water from said hydrant, the holder of the permit shall pay such damages and all costs and expenses that may be incurred by reason thereof on demand to the water department, including loss of water.

25. USE OF HYDRANTS. No person shall use any fire hydrant for construction or other purposes without first obtaining a permit for such use from the water department or town board, and making any advance payment demanded by said agents. The hydrant shall be operated only by a proper hydrant wrench, which shall be obtained from the water department or superintendent. Water must not be allowed to run except when required. All persons using hydrants shall immediately cover any opening in the hydrant, and may be issued by the town board to regulate the use of these hydrants. If required by the town board, a meter shall be applied to the

to purchase it, use any life

[illegible]

28-VALVE CONTROL M

28. SALE OF WATER

2872 SALE OF WA1

30- DISCONTINUA

SEASON 4

service. 8225 BACKER

1. DEFINITIONS

1. *Journal of the American Medical Association*, 1997; 277: 1033-1037.

There shall be no connection of an approved public water supply to a property or building in which there exists an auxiliary supply unless there shall be properly installed an approved reduced pressure principle backflow prevention device approved by the Town Engineer or a representative of the Water Department.

VI. In the event that a property or building is connected or applies for connection to the approved public water supply system then in that event, the applicant shall certify that there is not existing connections to or through the proposed property or building to be served by an auxiliary supply. The applicant shall furnish an existing layout of all plumbing and water supply systems planned to be put in the proposed building and building reflecting any and all connections to any source of water.

VI. If there is an existing connection to an auxiliary supply when the approved public water supply shall be terminated after ten days notice if the owner/operator fails to install an approved reduced pressure principle backflow prevention device in accordance with the construction plans and specifications of the Town.

VII. If there is an existing connection to an auxiliary supply and the owner/operator desires to continue the connection to the auxiliary supply, the cross-connection shall be approved public water supply shall not be connected to the property or building of the applicant until such time as an approved reduced pressure principle backflow prevention device is connected in accordance with the construction plans and specifications of the Town.

VI. A. Once an approved reduced pressure principle backflow prevention device is installed because there is a cross-connection, the owner/operator shall be responsible for the cost, installation, and maintenance of the approved reduced pressure principle backflow prevention device. The owner/operator of any premises who has an approved public water supply shall at all times open the served building or premises to any representative of the Town to check for cross-connections to see if the required approved backflow prevention device has been properly installed and if said backflow prevention device has a cross-connection to the premises.

B. The owner/operator of a premises or building in which an approved backflow prevention device has been installed shall be responsible for an annual inspection and testing of the approved backflow prevention device. The cost of repairs and replacement of said devices shall be the sole expense of the owner/operator. Said annual test results shall be filed not less often than the 5th day of January in each year. A negative result reflecting that the device is not functioning properly shall be submitted within 72 hours to the Town Water Department after the test is made.

VII. If in the opinion of the Town Water Department a cross-connection is

connection to the premises. If the owner/operator of premises, or a building in which an approved backflow prevention device has been installed, shall be responsible for an annual inspection and testing of the approved backflow prevention device. The cost of repair and replacement of said devices shall be the sole expense of the owner/operator. Said annual test results shall be filed not less often than the 1st day of January in each year. A negative result reflecting that the device is not functioning properly shall be submitted within 72 hours to the Town Water Department after the test is made.

VII. If, in the opinion of the Town Water Department, a cross-connection is not feasible or practical to provide potable drinking water to the premises or building, then the Town may require that a separate drinking water system be installed.

VIII. No water service connection for an approved public water supply to any premises shall be installed or continued or maintained unless the water supply is protected as required by the rules, orders and regulations of the applicable water regulatory agency.

VI. VIOLATIONS. Any person violating any provision of these rules and regulations, or any other rule or regulation pertaining to the said water system hereafter adopted, shall, upon conviction, be fined not more than \$50.00 and, upon conviction, any and all supply of water thereto furnished to him or to his property shall be cut off and discontinued until the rules and regulations are obeyed.

34. WATER RATES. The water rates charged for consumption of water and rental of meters in the Water Districts of the Town of Palmyra shall be such rates as are adopted from time to time by the Town of Palmyra and on file at the Town Clerk's Office. The Town Board shall publish such rates at least once prior to the effective date that the rate will be changed.

EFFECTIVE DATE. The above rules and regulations shall take effect immediately upon the expiration of ten days subsequent to the publication and posting of this ordinance.

Dated: March 4, 1980
Betsy B. Stubbings,
Town Clerk
By order of the
Town Board
of the Town of Palmyra
(431) (M7)

Seal of the Town of Palmyra
This is a true and correct copy of the
original as the same appears in the
records of the Town of Palmyra
this 4th day of March, 1980
TOWN CLERK

AFFIDAVIT OF PUBLICATION

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

Rosalie J. Mouton, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public 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:

Dec. 7, 1979

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this _____ day of _____ 1979

Michael J. [Signature]
Notary Public

Fee: \$ 70.46

51

LEGAL NOTICE
At a meeting of the Town Board of the Town of Palmyra, Wayne County, New York, held at the Town Office in Palmyra, New York, on the 8th day of November, 1979, at 7:30 o'clock P.M., Eastern Time.

The meeting was called to order by Supervisor Applin, and upon roll being called there were:

PRESENT: Leroy Applin, Supervisor; Edwin Wheeler, Councilman; Bruce Wideman, Councilman; Nelson Cook, Councilman; David Lyon, Councilman.

ABSENT:
The following resolution was offered by Councilman Edwin Wheeler, who moved its adoption, seconded by Councilman Nelson Cook, to wit:

BOND. RESOLUTION DATED November 8, 1979.

A. RESOLUTION AUTHORIZING THE CONSTRUCTION OF A WATER DISTRIBUTION SYSTEM TO SERVE PALMYRA EAST WATER DISTRICT IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK, AND AUTHORIZING THE

ISSUANCE OF \$125,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 12 of the Town Law, the Town Board of the Town of Palmyra, Wayne County, New York, has duly established Palmyra East Water District in said Town; and

WHEREAS, it is now desired to authorize the construction of the improvements proposed for said Water District and provide for the financing thereof in accordance with said proceedings; **NOW, THEREFORE, BE IT**

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

Section 1. The construction of the improvements proposed for Palmyra East Water District in the Town of Palmyra, Wayne County, New York, consisting of a water distribution system, including water mains, distributing pipes and hydrants, with appurtenant facilities, substantially in accordance with the map and plan accompanying the petition for said District, is hereby authorized at a maximum estimated cost of \$125,000. Exhibit 1.

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$125,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Palmyra, Wayne County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same become due and payable. There shall annually be assessed upon all the taxable real property in said Palmyra East Water District at the same time and in the same manner as other Town charges an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of said serial bonds and to sell, negotiate, place, and dispose of the same, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds may be contested only if:

1) Such bonds are authorized for an object for purpose for which said town is not authorized to expend money or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such bonds are authorized in violation of the provisions of the Constitution.

Section 7. This resolution, which takes effect immediately, shall be published in full in Palmyra Courier-Journal, the official newspaper, together with notice of the Town Clerk in substantially the form provided in Section 11.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Leroy Applin VOTING aye.
Councilman Edwin Wheeler VOTING aye.
Councilman Nelson Cook VOTING aye.
Councilman Bruce Wideman VOTING aye.
Councilman David Lyon VOTING aye.

The resolution was thereupon declared duly adopted.

Dated: December 4, 1979
By order of the Town Board of the Town of Palmyra,
Bobby B. Stubbings,
Town Clerk
(347) (D-7)

CJ7-012-DLQ

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
ORDER OF TOWN BOARD
FOR PUBLIC HEARING
TO CONSIDER
A MOTION TO AMEND
THE EAST WATER
DISTRICT
AND TO INCREASE THE
MAXIMUM AMOUNT TO BE
EXPENDED IN SAID
EAST WATER 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
petition dated March 12,
1977, in due form 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:

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) in-
tersects with the centerline
of Howell Street extended
to the south; thence (1)
southerly along the cen-
terline of Howell Street
extended to the south till it
intersects with the northerly
boundary of lands now or
formerly of Cleason
Equipment Inc.; thence (2)
containing southerly along
the lands of Cleason
Equipment Inc. a distance
of 1,619 ± feet along the
easterly boundary of lands
now or formerly of one Clark
to a point; thence (3)
easterly 700 ± feet along
the northerly boundary now
or formerly of one Sampson
and the southerly boundary
of Cleason Equipment Inc.
thence (4) northerly along
the lands now or formerly of
Sampson 873 ± feet to an
angle in the line of said
Sampson; thence (5)
easterly along the north
boundary of said Sampson
442 ± feet to an angle in the
line of said Sampson;
thence (6) northerly 385 ±
feet to an angle in the said
Cleason Equipment Inc.
easterly line as shown in

the attached plan; thence
(7) northerly along the
northerly boundary now
or formerly of one Sampson
to a point; thence (8) southerly
along the east line formerly
of one Sampson 170 ± feet
to an angle; thence (9)
southerly 224 ± feet to an
angle in the east line for-
merly of Sampson; thence
(10) southerly 1,376 ± feet
along the former east line of
Sampson to an angle;
thence (11) easterly 502 ±
feet to a point in the land
now of one Adams; thence
(12) northerly along the
lands of one Adams and
one Bedette 1,753 ± feet to
an angle; thence (13) nor-
therly 270 ± feet along
lands of said Bedette to an
angle; thence (14) easterly
along the lands of said
Bedette 500 ± 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 of
approximately 39 acres
formerly owned by one
Cook now believed to be
owned by the Assembly of
God; thence (17) northerly
on the east line of lands
formerly of Cook to a point
300 feet south of the
southerly right of way line
of New York State Highway
Route 31; thence (18)
easterly to a point due
south of the east line of one
P. Johnson as extended
southerly; thence (19)
northerly and across Route
31 along the easterly line of
Johnson to the Barge Canal
lands of the State of New
York; thence (20) westerly
along the southerly
boundary of the Barge
Canal land of the State of
New York to a point of in-
tersection 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 begin-
ning.

AND WHEREAS, the
improvements proposed
consist of the erection,
construction and main-
tenance of a water system,
including water mains,
distributing pipes, and
hydrants, the supply of
water to be purchased from
the Village of Palmyra, a
municipal corporation, to
serve the said district in
accordance with certain
plans made a part of said
petition; and
WHEREAS, the maximum
amount proposed to be
expended for said im-
provement as stated in said
petition is the sum of
\$84,000; and
WHEREAS, because of a
grant the Town Board has
received sufficient finan-
cing to pay for the services;
AND WHEREAS, the
Town Board of the Town of
Palmyra has by resolution
increased the maximum
amount from \$84,000 to
\$125,000.

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

Nov. 16, 1979

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 16 day of Nov 1979

Michael J. Hunsra
Notary Public

Fee: \$ 65.58

IT IS HEREBY ORDERED
that a public hearing shall be
held by the Town Board of
the Town of Palmyra in the
Town Office, 204 East Main
Street, Palmyra, New York
on the 28th day of
November, 1979 at 7:30 P.M.
Eastern Standard Time, to
consider the said petition
and to hear all persons
interested in the subject
thereof concerning the
same and for such other
action on the part of said
Town Board with relation to
the said petition as will be
required by law or proper in
the premises.
Dated: November 12, 1979
By order of the Town Board
of the Town of Palmyra
Benny B. Stubblings,
Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK,
County of Wayne, ss:

LEGAL NOTICE
Town Board Order
Establishing
Improvement District
BEFORE THE TOWN
BOARD OF THE
Town of Palmyra,
Wayne County, New York
In the Matter

The Establishment of the
East Water District in the
Town of Palmyra, County of
Wayne, New York

Amended Order
establishing District

WHEREAS a petition in
this matter for the creation
of a water district was
presented to the Town
Board, together with the
necessary map and plan
attached thereto, and

WHEREAS the map and
plan were approved by the
State Department of Health
and a copy thereof filed in
the office of such depart-
ment and in the office of the
Town Clerk; and

WHEREAS an order was
adopted by the Town Board
on October 27, 1977, for the
hearing of all persons in-
terested in the matter on
December 5, 1977, at 7:30
P.M. at the Town Office in
Palmyra, New York, and a
hearing by the Board was
held at such time and place

and
WHEREAS it was
resolved and determined
following the hearing that
the petition was signed and
acknowledged or proved as
required by law and
otherwise sufficient; and
that all the property and
property owners within the
proposed district were
benefitted thereby; and that
all property and property
owners benefitted were
included within the limits of
the proposed district; and

WHEREAS it was decided
that it was in public interest
to grant in whole the relief
sought; and

WHEREAS an application
having been made in
duplicate on December 23,
1977, to the State Depart-
ment of Audit and Control
at Albany, New York, for
permission to create such
district pursuant to Town
Law Section 194, and the
State Comptroller having
made an order in duplicate,
dated October 11, 1978,
granting permission for the
creation of the district, and
one copy of the order
having been filed in the
office of the State Depart-
ment of Audit and Control
at Albany, New York, and
the other in the office of the
Town Clerk of this Town,
and

CJ7- WHEREAS the Town
Clerk having presented the
order to this Board at its
meeting, being its first
meeting held after the order
was filed with her, it is
herby

ORDERED that a water
district be established in
the Town of Palmyra,
Wayne County, New York,
as described in the order of
the State Comptroller
aforesaid to be designated
as the East Water District
of the Town of Palmyra and to
be of the following
description and boundaries
to-wit:

ALL 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 1973-74) in-
tersects with the centerline
of Howell Street extended
to the south; thence (1)
southerly along the cen-
terline of Howell Street as
extended to the south (11)
intersects with the northerly
boundary of lands now or
formerly of Cleason
Equipment Inc. thence (2)
continuing southerly along
the lands of Cleason
Equipment Inc. a distance
of 1,619 ± feet along the
easterly boundary of lands
now or formerly of one Clark
to a point; thence (3)
easterly 700 ± feet along
the northerly boundary now
or formerly of one Sampson
and the southerly boundary
of Cleason Equipment Inc.
thence (4) northerly along
the lands now or formerly of
Sampson 973 ± feet to an
angle in the line of said
Sampson; thence (5)
easterly along the north
boundary of said Sampson
442 ± feet to an angle in the

line of said Sampson;
thence (6) northerly 355 ±
feet to an angle in the said
Cleason Equipment Inc.
easterly line as shown in
Libar 430 page 273; thence
(7) easterly 1,310 ± feet
along the north line for-
merly of Sampson to a
point; thence (8) southerly
along the east line formerly
of one Sampson 170 ± feet
to an angle; thence (9)
southerly 224 ± feet to an
angle in the east line for-
merly of Sampson; thence
(10) southerly 1,378 ± feet
along the former east line of
Sampson to an angle;
thence (11) easterly 502 ±
feet to a point in the land
now of one Adams; thence
(12) northerly along the
lands of one Adams and
one Badette 1,753 ± feet to
an angle; thence (13) nor-
therly 270 ± feet along
lands of said Badette to an
angle; thence (14) easterly
along the lands of said
Badette 1,560 ± feet to the
centerline of Vienna Road;
thence (15) northerly along
the centerline of Vienna
Road to its intersection
with the centerline of
Trolley Road; so called;
thence (16) easterly along
the centerline of Trolley
Road to the southeasterly
corner of a parcel of land of
approximately 30 acres
formerly owned by one
Cook now believed to be
owned by the Assembly of
God; thence (17) northerly
on the east line of lands
formerly of Cook to a point
300 feet south of the
southerly right of way line
of New York State Highway
Route 31; thence (18)
easterly to a point due
south of the east line of one
P. Johnson as extended
southerly; thence (19)
northerly and across Route
31 along the easterly line of
Johnson to the Barge Canal
lands of the State of New

York; thence (20) westerly
along the southerly
boundary of the Barge
Canal land of the State of
New York to a point of in-
tersection 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 begin-
ning; and ordered that its
boundaries be amended to
conform to the above
description.
The boundaries are in-
tended to fill within the
present boundaries of the
Town of Palmyra, Wayne
County, New York.
Dated November 29, 1979
Leroy R. Apin,
Supervisor
Bruce Wideman,
Town Councilman
David Lyon,
Town Councilman
Nelson Cook,
Town Councilman
Edwin Wheeler,
Town Councilman
Members of the Town
Board of the Town of
Palmyra, Wayne County,
New York.
(348) (D-7)

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

Dec. 7, 1979

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 8 day of Dec 1979

Michael J. Pearson
Notary Public

Fee: \$74.42

Town Board Order Establishing Improvement District

BEFORE THE TOWN BOARD OF THE

Town of Palmyra

Wayne County, New York

In the Matter	:	
of	:	Amended Order establishing
	:	District
The Establishment of the East	:	
Water District in the Town of	:	
Palmyra, County of Wayne,	:	
New York.	:	

WHEREAS a petition in this matter for the creation of a water district was presented to the Town Board, together with the necessary map and plan attached thereto, and

WHEREAS the map and plan were approved by the State Department of Health and a copy thereof filed in the office of such department and in the office of the Town Clerk, and

WHEREAS an order was adopted by the Town Board on October 27, 1977, for the hearing of all persons interested in the matter on December 8, 1977, at 7:30 P.M. at the Town Office in Palmyra, New York, and a hearing by the Board was held at such time and place, and

WHEREAS it was resolved and determined following the hearing that the petition was signed and acknowledged or proved as required by law and otherwise sufficient; and that all the property and property owners within the proposed district were benefited thereby, and that all property and property owners benefited were included within the limits of the proposed district, and

WHEREAS it was decided that it was in public interest to grant in whole the relief sought, and,

WHEREAS an application having been made in duplicate on December 23, 1977, to the State Department of Audit and Control at Albany, New York, for permission to create such district pursuant to Town Law Section 194, and the State Comptroller having made an order in duplicate, dated October 11, 1978, granting permission for the creation of the district, and one copy of the order having been filed in the office of the State Department of Audit and Control at Albany, New York, and the other in the office of the Town Clerk of this Town, and,

WHEREAS the Town Clerk having presented the order to this Board at this meeting, being its first meeting held after the order was filed with her; it is hereby

ORDERED, that a water district be established in the Town of Palmyra, Wayne County, New York, as described in the order of the State Comptroller aforesaid, to be designated as the East Water District of the Town of Palmyra and to be of the following description and boundaries, to wit: (See attachment) - and ordered that its boundaries be amended to conform to the above description.

The boundaries are intended to fall within the present boundaries of the Town of Palmyra, Wayne County, New York.

Dated November 29, 1979

Leroy R. Aplin
Leroy R. Aplin, Supervisor

Bruce Wideman
Town Councilman

Nelson Cook
Town Councilman

David Lyon
Town Councilman

Edwin Wheeler
Town Councilman

Members of the Town Board of the Town of Palmyra, Wayne County, New York

LEGIBILITY ON ORIGINAL DOCUMENT IS POOR

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 Gleason Equipment Inc.; thence (2) continuing southerly along the lands of Gleason Equipment Inc. a distance of 1,619+ feet along the easterly boundary of lands now or formerly of one Clark to a point; thence (3) easterly 700+ feet along the northerly boundary now or formerly of one Sampson and the southerly boundary of Gleason Equipment Inc.; thence (4) northerly along the lands now or formerly of Sampson 973+ feet to an angle in the line of said Sampson; thence (5) easterly along the north boundary of said Sampson 442+ feet to an angle in the line of said Sampson; thence (6) northerly 386+ feet to an angle in the said Gleason Equipment Inc. easterly line as shown in Liber 430 page 273; thence (7) easterly 1,310+ feet along the north line formerly of Sampson to a point; thence (8) southerly along the east line formerly of one Sampson 170+ feet to an angle; thence (9) southerly 224+ feet to an angle in the east line formerly of Sampson; thence (10) southerly 1,378+ feet along the former east line of Sampson to an angle; thence (11) easterly 502+ feet to a point in the land now of one Adams; thence (12) northerly along the lands of one Adams and one Bedette 1,753+ feet to an angle; thence (13) northerly 270+ feet along lands of said Bedette to an angle; thence (14) easterly along the lands of said Bedette 1,560+ feet to the centerline of Vienna Road; thence (15) northerly along the centerline of Vienna Road to its intersection with the centerline of Trolley Road, so called; thence (16) easterly along the centerline of Trolley Road to the southeasterly corner of a parcel of land of approximately 30 acres formerly owned by one Cook now believed to be owned by the Assembly of God; thence (17) northerly on the east line of lands formerly of Cook to a point 300 feet south of the southerly right of way line of New York State Highway Route 31; thence (18) easterly to a point due south of the east line of one P. Johnson as extended southerly; thence (19) northerly and across Route 31 along the easterly line of Johnson to the Barge Canal lands of the State of New York; thence (20) westerly along the southerly boundary of the Barge Canal land 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.

COUNTY OF WAYNE

TOWN OF PALMYRA -

I, the undersigned Clerk of the Town of Palmyra, Wayne County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the Town Board Order in the matter of the Establishment of the East Water District in the Town of Palmyra, County of Wayne, New York with the original thereof on file in my office and that the same is a true and correct copy of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 4th day of December, 1979.

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

(Seal)

R E S O L U T I O N

At a regular meeting of the Town Board of the Town of Palmyra, Wayne County, New York, held at Palmyra at 7:30 o'clock P.M. on January 10 1980.

The meeting was called to order by Supervisor Macpffe and upon roll being called, the following were:

PRESENT: Supervisor Fred Macpffe
Town Councilman Bruce Wideman
Town Councilman Nelson Cook
Town Councilman David Lyon

ABSENT: Town Councilman Edwin Wheeler

The following resolution was offered by Nelson Cook who moved its adoption, seconded by David Lyon to wit:

RESOLUTION DATED January 10, 1980

A RESOLUTION PERTAINING TO THE INCURRENCE OF INDEBTEDNESS AND FINANCING OF THE ROUTE #31 EAST WATER DISTRICT IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK.

WHEREAS, the Town Board of the Town of Palmyra, New York has determined that it is necessary for said Town to incur indebtedness for the purpose of providing a portion of the cost of construction of the Route #31 East Water District to serve an area lawfully within its jurisdiction to serve; and,

WHEREAS, the Town of Palmyra intends to obtain assistance from the Farmers Home Administration, United States Department of Agriculture, in the planning, financing and supervision of such undertaking by issuance of its bonds in the principal amount of \$75,000 and the acceptance of a grant from the Farmers Home Administration of \$50,000.

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

Section 1. The Supervisor and Town Clerk are hereby authorized to execute and deliver FHA Form 1942-31 "Association Water or Sewer System Grant Agreement" in connection with the \$50,000 grant from Farmers Home Administration to that agency.

Section 2. The Supervisor and Town Clerk are hereby authorized to execute and deliver FHA Form 442-47 "Loan Resolution (Public Bodies)" in connection with the \$75,000 loan from Farmers Home Administration to that agency.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Fred Macgillie	voting	Yes
Town Councilman Bruce Wideman	voting	Yes
Town Councilman Nelson Cook	voting	Yes
Town Councilman David Lyon	voting	Yes
	voting	
	voting	

The resolution was thereupon declared duly adopted.

* * *

I, Betty Stubbings, Town Clerk of the Town of Palmyra, Wayne County, New York, do hereby certify that the foregoing is a true and exact copy of the resolution made and carried by the Town Board of Palmyra on August 10, 1966.

Betty B. Stubbings
Betty Stubbings, Town Clerk

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

ASSOCIATION WATER OR SEWER SYSTEM GRANT AGREEMENT

THIS AGREEMENT dated January 10, 19 80, betweenthe Town of Palmyraa public corporation organized and operating under the laws of the State of New York

(Authorizing Statute)

herein called "Grantee," and the United States of America acting through the Farmers Home Administration, Department of Agriculture, herein called "Grantor," WITNESSETH:

WHEREAS the Town of Palmyra

Grantee has determined to undertake a project of acquisition, construction, enlargement, or capital improvement of a (water) (~~sewer~~) system to serve the area under its jurisdiction at an estimated cost of \$ 125,000 and has duly authorized the undertaking of such project.Grantee is able to finance not more than \$ 75,000 of the development costs through revenues, charges, taxes or assessments, or funds otherwise available to Grantee resulting in a reasonable user charge.Said sum of \$ 75,000 has been committed to and by Grantee for such project development costs.Grantor has agreed to grant the Grantee a sum not to exceed \$ 50,000 or 40 percent of said development costs, whichever is the lesser, subject to the terms and conditions established by the Grantor. Provided, however, that the proportionate share of any grant funds actually advanced and not needed for grant purposes shall be returned immediately to the Grantor. The Grantor may terminate the grant in whole, or in part, at any time before the date of completion, whenever it is determined that the Grantee has failed to comply with the conditions of the grant.NOW, THEREFORE, In consideration of said grant by Grantor to Grantee, to be made pursuant to Section 306 (a) of the Consolidated Farm and Rural Development Act for the purpose only of defraying a part not to exceed 40 percent of the development costs, as defined by applicable Farmers Home Administration instructions.

GRANTEE AGREES THAT GRANTEE WILL:

- A. Cause said project to be constructed within the total sums available to it, including said grant, in accordance with the project plans and specifications and any modifications thereof prepared by Grantee and approved by Grantor.
- B. Permit periodic inspection of the construction by a representative of Grantor during construction.
- C. Manage, operate and maintain the system, including this project if less than the whole of said system, continuously in an efficient and economical manner.
- D. Make the services of said system available within its capacity to all persons in Grantee's service area without discrimination as to race, color, religion, sex, national origin, age, marital status, or physical or mental handicap (possess capacity to enter into legal contract for services) at reasonable charges, including assessments, taxes, or fees in accordance with a schedule of such charges, whether for one or more classes of service, adopted by resolution date January 10, 1980, as may be modified from time to time by Grantee. The initial rate schedule must be approved by Grantor. Thereafter, Grantee may make such modifications to the rate system as long as the rate schedule remains reasonable and nondiscriminatory.

E. Adjust its operating costs and service charges from time to time to provide for adequate operation and maintenance, emergency repair reserves, obsolescence reserves, debt service and debt service reserves.

F. Expand its system from time to time to meet reasonably anticipated growth or service requirements in the area within its jurisdiction.

G. Provide Grantor with such periodic reports as it may require and permit periodic inspection of its operations by a representative of the Grantor.

H. To execute Form FmHA 400-1, "Equal Opportunity Agreement," and to execute Form FmHA 400-4, "Nondiscrimination Agreement," and to execute any other agreements required by Grantor which Grantee is legally authorized to execute. If any such form has been executed by Grantee as a result of a loan being made to Grantee by Grantor contemporaneously with the making of this grant, another form of the same type need not be executed in connection with this grant.

I. Upon any default under its representations or agreements set forth in this instrument, Grantee, at the option and demand of Grantor, will repay to Grantor forthwith the original principal amount of the grant stated hereinabove, with the interest at the rate of 5 percentum per annum from the date of the default. Default by the Grantee will constitute termination of the grant thereby causing cancellation of Federal assistance under the grant. The provisions of this Grant Agreement may be enforced by Grantor, at its option and without regard to prior waivers by it of previous defaults of Grantee, by judicial proceedings to require specific performance of the terms of this Grant Agreement or by such other proceedings in law or equity, in either Federal or State courts, as may be deemed necessary by Grantor to assure compliance with the provisions of this Grant Agreement and the laws and regulations under which this grant is made.

J. Return immediately to Grantor, as required by the regulations of Grantor, any grant funds actually advanced and not needed by Grantee for approved purposes.

K. Use the real property including land, land improvements, structures, and appurtenances thereto, for authorized purposes of the grant as long as needed.

1. Title to real property shall vest in the recipient subject to the condition that the Grantee shall use the real property for the authorized purpose of the original grant as long as needed.

2. The Grantee shall obtain approval by the Grantor agency for the use of the real property in other projects when the Grantee determines that the property is no longer needed for the original grant purposes. Use in other projects shall be limited to those under other Federal grant programs or programs that have purposes consistent with those authorized for support by the Grantor.

3. When the real property is no longer needed as provided in 1 and 2 above, the Grantee shall request disposition instructions from the Grantor agency or its successor Federal agency. The Grantor agency shall observe the following rules in the disposition instructions:

(a) The Grantee may be permitted to retain title after it compensates the Federal Government in an amount computed by applying the Federal percentage of participation in the cost of the original project to the fair market value of the property.

(b) The Grantee may be directed to sell the property under guidelines provided by the Grantor agency and pay the Federal Government an amount computed by applying the Federal percentage of participation in the cost of the original project to the proceeds from sale (after deducting actual and reasonable selling and fix-up expenses, if any, from the sales proceeds). When the Grantee is authorized or required to sell the property, proper sales procedures shall be established that provide for competition to the extent practicable and result in the highest possible return.

(c) The Grantee may be directed to transfer title to the property to the Federal Government provided that in such cases the Grantee shall be entitled to compensation computed by applying the Grantee's percentage of participation in the cost of the program or project to the current fair market value of the property.

This Grant Agreement covers the following described real property (use continuation sheets as necessary).

SEE ATTACHMENT #1

L. Abide by the following conditions pertaining to nonexpendable personal property which is furnished by the Grantor or acquired wholly or in part with grant funds. Nonexpendable personal property means tangible personal property having a useful life of more than one year and an acquisition cost of \$300 or more per unit. A Grantee may use its own definition of nonexpendable personal property provided that such definition would at least include all tangible personal property as defined above.

1. Use of nonexpendable property.

(a) The Grantee shall use the property in the project for which it was acquired as long as needed. When no longer needed for the original project, the Grantee shall use the property in connection with its other Federally sponsored activities, if any, in the following order of priority:

(1) Activities sponsored by the FmHA.

(2) Activities sponsored by other Federal agencies.

(b) During the time that nonexpendable personal property is held for use on the project for which it was acquired, the Grantee shall make it available for use on other projects if such other use will not interfere with the work on the project for which the property was originally acquired. First preference for such other use shall be given to FmHA sponsored projects. Second preference will be given to other Federally sponsored projects.

2. Disposition of nonexpendable property. When the Grantee no longer needs the property as provided in paragraph (a) above, the property may be used for other activities in accordance with the following standards:

(a) Nonexpendable property with a unit acquisition cost of less than \$1,000. The Grantee may use the property for other activities without reimbursement to the Federal Government or sell the property and retain the proceeds.

(b) Nonexpendable personal property with a unit acquisition cost of \$1,000 or more. The Grantee may retain the property for other uses provided that compensation is made to the original Grantor agency or its successor. The amount of compensation shall be computed by applying the percentage of Federal participation in the cost of the original project or program to the current fair market value of the property. If the Grantee has no need for the property and the property has further use value, the Grantee shall request disposition instructions from the original Grantor agency.

The Grantor agency shall determine whether the property can be used to meet the agency's requirements. If no requirement exists within that agency, the availability of the property shall be reported, in accordance with the guidelines of the Federal Property Management Regulations (FPMR), to the General Services Administration by the Grantor agency to determine whether a requirement for the property exists in other Federal agencies. The Grantor agency shall issue instructions to the Grantee no later than 120 days after the Grantee request and the following procedures shall govern:

(1) If so instructed or if disposition instructions are not issued within 120 calendar days after the Grantee's request, the Grantee shall sell the property and reimburse the Grantor agency an amount computed by applying to the sales proceeds the percentage of Federal participation in the cost of the original project or program. However, the Grantee shall be permitted to deduct and retain from the Federal share \$100 or ten percent of the proceeds, whichever is greater, for the Grantee's selling and handling expenses.

(2) If the Grantee is instructed to ship the property elsewhere the Grantee shall be reimbursed by the benefitting Federal agency with an amount which is computed by applying the percentage of the Grantee participation in the cost of the original grant project or program to the current fair market value of the property, plus any reasonable shipping or interim storage costs incurred.

(3) If the Grantee is instructed to otherwise dispose of the property, the Grantee shall be reimbursed by the Grantor agency for such costs incurred in its disposition.

3. The Grantee's property management standards for nonexpendable personal property shall also include:

(a) Property records which accurately provide for: a description of the property; manufacturer's serial number or other identification number; acquisition date and cost; source of the property; percentage (at the end of budget year) of Federal participation in the cost of the project for which the property was acquired; location, use and condition of the property and the date the information was reported; and ultimate disposition data including sales price or the method used to determine current fair market value if the Grantee reimburses the Grantor for its share.

(b) A physical inventory of property shall be taken and the results reconciled with the property records at least once every two years to verify the existence, current utilization, and continued need for the property.

(c) A control system shall be in effect to insure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft of nonexpendable property shall be investigated and fully documented.

(d) Adequate maintenance procedures shall be implemented to keep the property in good condition.

(e) Proper sales procedures shall be established for unneeded property which would provide for competition to the extent practicable and result in the highest possible return.

This Grant Agreement covers the following described nonexpendable property (use continuation sheets as necessary):

NONE

M. Provide Financial Management Systems which will include:

1. Accurate, current, and complete disclosure of the financial results of each grant. Financial reporting will be on an accrual basis.

2. Records which identify adequately the source and application of funds for grant-supported activities. Those records shall contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income.

3. Effective control over and accountability for all funds, property and other assets. Grantees shall adequately safeguard all such assets and shall assure that they are used solely for authorized purposes.

4. Accounting records supported by source documentation.

N. Retain financial records, supporting documents, statistical records, and all other records pertinent to the grant for a period of at least three years after grant closing except that the records shall be retained beyond the three-year period if audit findings have not been resolved. Microfilm copies may be substituted in lieu of original records. The Grantor and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Grantee's government which are pertinent to the specific grant program for the purpose of making audits, examinations, excerpts and transcripts.

O. Provide information as requested by the Grantor to determine the need for and complete any necessary Environmental Impact Statements.

P. Provide an audit report prepared in sufficient detail to allow the Grantor to determine that funds have been used in compliance with the proposal, any applicable laws and regulations and this Agreement.

Q. Agree to account for and to return to Grantor interest earned on grant funds pending their disbursement for program purposes when the Grantee is a unit of local government, States and agencies or instrumentalities of states shall not be held accountable for interest earned on grant funds pending their disbursement.

R. Not encumber, transfer or dispose of the property or any part thereof, furnished by the Grantor or acquired wholly or in part with Grantor funds without the written consent of the Grantor except as provided in item K above.

S. To include in all contracts for construction or repair a provision for compliance with the Copeland "Anti-Kick Back" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR, Part 3). The Grantee shall report all suspected or reported violations to the Grantor.

T. In construction contracts in excess of \$2,000 and in other contracts in excess of \$2,500 which involve the employment of mechanics or laborers, to include a provision for compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR, Part 5).

U. To include in all contracts in excess of \$100,000 a provision that the contractor agrees to comply with all the requirements of Section 114 of the Clean Air Act (42 U.S.C. §1875C.9) and Section 308 of the Water Pollution Control Act (33 U.S.C. §1318) relating to inspection, monitoring, entry, reports, and information, as well as all other requirements specified in Section 114 of the Clean Air Act and Section 308 of the Water Pollution Control Act and all regulations and guidelines issued thereunder after the award of the contract. Such regulations and guidelines can be found in 40 CFR 15.4 and 40 FR 17126 dated April 16, 1975. In so doing the Contractor further agrees:

1. As a condition for the award of contract, to notify the Owner of the receipt of any communication from the Environmental Protection Agency (EPA) indicating that a facility to be utilized in the performance of the contract is under consideration to be listed on the EPA list of Violating Facilities. Prompt notification is required prior to contract award.

2. To certify that any facility to be utilized in the performance of any nonexempt contractor subcontract is not listed on the EPA list of Violating Facilities pursuant to 40 CFR 15.20 as of the date of contract award.

3. To include or cause to be included the above criteria and the requirements in every nonexempt subcontract and that the Contractor will take such action as the Government may direct as a means of enforcing such provisions.

As used in these paragraphs the term "facility" means any building, plan, installation, structure, mine, vessel or other floating craft, location, or site of operations, owned, leased, or supervised by a Grantee, cooperator, contractor, or subcontractor, to be utilized in the performance of a grant, agreement, contract, subgrant, or subcontract. Where a location or site of operation contains or includes more than one building, plant, installation, or structure, the entire location shall be deemed to be a facility except where the Director, Office of Federal Activities, Environmental Protection Agency, determines that independent facilities are co-located in one geographical area.

GRANTOR AGREES THAT IT:

A. Will make available to Grantee for the purpose of this Agreement not to exceed \$ 50,000

which it will advance to Grantee to meet not to exceed 40 percent of the development costs of the project in accordance with the actual needs of Grantee as determined by Grantor.

B. Will assist Grantee, within available appropriations, with such technical assistance as Grantor deems appropriate in planning the project and coordinating the plan with local official comprehensive plans for sewer and water and with any State or area plans for the area in which the project is located.

C. At its sole discretion and at any time may give any consent, deferment, subordination, release, satisfaction, or termination of any or all of Grantee's grant obligations, with or without valuable consideration, upon such terms and conditions as Grantor may determine to be (1) advisable to further the purpose of the grant or to protect Grantor's financial interest therein and (2) consistent with both the statutory purposes of the grant and the limitations of the statutory authority under which it is made.

TERMINATION OF THIS AGREEMENT.

This Agreement may be terminated for cause in the event of default on the part of the Grantee as provided in paragraph 1 above or for convenience of the Grantor and Grantee prior to the date of completion of the grant purpose. Termination for convenience will occur when both the Grantee and Grantor agree that the continuation of the project will not produce beneficial results commensurate with the further expenditure of funds.

IN WITNESS WHEREOF Grantee on the date first above written has caused these presence to be executed by its duly authorized _____ the Town Supervisor, Frederick Kaempffe
and attested and its corporate seal affixed by its duly authorized _____ the Town Clerk, Betty B. Stubbings

ATTEST:

By Betty B. Stubbings
Betty B. Stubbings
Town Clerk
(Title)

By Frederick Kaempffe
Frederick Kaempffe
Town Supervisor
(Title)

UNITED STATES OF AMERICA
FARMERS HOME ADMINISTRATION

By _____
(Title)

ATTACHMENT #1

1. That the proposed water district shall be described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Palmyra, County of Wayne and State of New York bounded and described as follows: Commencing at a point where the southerly line of the Village of Palmyra (as annexed in 1973-74) intersects with the centerline of Howell Street extended to the south; thence (1) southerly along the centerline of Howell Street as extended to the south til it intersects with the northerly boundary of lands now or formerly of Cleason Equipment Inc.; thence (2) continuing southerly along the lands of Cleason Equipment Inc. a distance of 1,619+ feet along the easterly boundary of lands now or formerly of one Clark to a point; thence (3) easterly 700+ feet along the northerly boundary now or formerly of one Sampson and the southerly boundary of Cleason Equipment Inc.; thence (4) northerly along the lands now or formerly of Sampson 973+ feet to an angle in the line of said Sampson; thence (5) easterly along the north boundary of said Sampson 442+ feet to an angle in the line of said Sampson; thence (6) northerly 386+ feet to an angle in the said Cleason Equipment Inc. easterly line as shown in Liber 430 page 273; thence (7) easterly 1,310+ feet along the north line formerly of Sampson to a point; thence (8) southerly along the east line formerly of one Sampson 170+ feet to an angle; thence (9) southerly 224+ feet to an angle in the east line formerly of Sampson; thence (10) southerly 1,378+ feet along the former east line of Sampson to an angle; thence (11) easterly 502+ feet to a point in the land now of one Adams; thence (12) northerly along the lands of one Adams and one Bedette 1,753+ feet to an angle; thence (13) northerly 270+ feet along lands of said Bedette to an angle; thence (14) easterly along the lands of said Bedette 1,560+ feet to the centerline of Vienna Road; thence (15) northerly along the centerline of Vienna Road to its intersection with the centerline of Trolley Road, so called; thence (16) easterly along the centerline of Trolley Road to the southeasterly corner of a parcel of land of approximately 30 acres formerly owned by one Cook now believed to be owned by the Assembly of God; thence (17) northerly on the east line of lands formerly of Cook to a point 300 feet south of the southerly right of way line of New York State Highway Route 31; thence (18) easterly to a point due south of the east line of one P. Johnson as extended southerly; thence (19) northerly and across Route 31 along the easterly line of Johnson to the Barge Canal lands of the State of New York; thence (20) easterly along the southerly boundary of the Barge Canal lands of the State of New York to a point of intersection with the easterly line of the Village of Palmyra; thence (21) southerly along the easterly line of the Village of Palmyra and westerly along the southerly line of the Village of Palmyra to the point and place of beginning.

USDA-FmHA
Form FmHA 442-47
(Rev. 4-9-76)

Position 5

LOAN RESOLUTION
(Public Bodies)

Town Board

A RESOLUTION OF THE

Town of Palmyra

OF THE
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF
PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR

EXTENDING ITS Route #31 East Water District
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURDICTION TO SERVE.

WHEREAS, it is necessary for the Town Board
(Public Body)

(herein after called association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal
amount of \$75,000 10-26-78 and

pursuant to the provisions of the Local Finance Law and bond resolutions dated 11-08-79

WHEREAS, the association intends to obtain assistance from the Farmers Home Administration, United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and to purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the association:

NOW THEREFORE, in consideration of the premises the association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds and containing such items and in such forms as are required by STATE statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form FmHA 400-4, "Nondiscrimination Agreement"; and Form FmHA 400-1, "Equal Opportunity Agreement", including an "Equal Opportunity Clause", which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government, at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the association (payable from the source of funds pledged to pay the bonds or any other legally permissible source) incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this Resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, not permit others to do so, without the prior written consent of the Government.
7. Not to borrow any money from any source, enter into any contract or agreement, or incur any other liabilities in connection with making enlargements, improvements or extensions to, or for any other purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account, in a bank, and in a manner approved by the Government.

FmHA 442-47 (Rev. 4-9-76)

9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. No free service or use of the facility will be permitted.
11. To acquire and maintain such insurance coverage including fidelity bonds as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof in such a manner as may be required by the Government, to provide the Government without its request, a copy of each such audit, and to make and forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. To serve any applicant within the service area who desires service and can be feasibly and legally served, and to obtain the concurrence of the Farmers Home Administration prior to refusing service to such applicant. Upon the failure to provide such service which is feasible and legal such applicant shall have a direct right of action against the association under this agreement.

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instruments, shall be binding upon the association as long as the bonds are held or insured by the Government. The provisions of sections 6 through 13 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling as between the association and the Government.

The vote was: Yeas 4; Nays 0; Absent 1.

IN WITNESS WHEREOF, the Town Board of the

Town of Palmyra has duly adopted this Resolution and caused it to be executed by the officers below in duplicate on this 10th day of January, 19 80.

(SEAL)

Attest:

Betty B. Stubbings
Betty B. Stubbings
Town Clerk

By Frederick Kaempffe
Title Supervisor

CERTIFICATION

I, the undersigned, as Town Clerk of the Town of Palmyra hereby certify that the Town Board of such Association is composed of 5 members, of whom 4, constituting a quorum, were present at a meeting thereof duly called and held on the 10th day of January, 19 80; that the foregoing resolution was adopted at such meeting by the vote shown above; and that said resolution has not been rescinded or amended in any way.
Dated, this 11th day of January, 19 80.

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

February 22, 1979

15

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, February 22, 1979 in the Town Office, 204 E. Main Street, Palmyra, N.Y. by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Aplin, Town Councilmen Edwin Wheeler and Nelson Cook, Zoning Officer Francis Toole, and Town Clerk Betty Stubbings. Interested Persons attending or those having business to come before the Board were Steve Jackson of the Courier Journal and David Matthews and Joe Pullen of Hershey, Malone Associates.

MEETING
OPENED

A motion was made by Edwin Wheeler to dispense with the reading of and approve as submitted the minutes of 1/25/, 1/31, and 2/8. Motion was seconded by Nelson Cook and passed with 3 ayes and no nos.

MOTION TO
APPROVE MIN.
1/25, 1/31, 2/8

COMMITTEES

Zoning - Zoning Officer Francis Toole reported that the papers in regard to violation by Alan Herrmann have been signed and the summons for an appearance in Town Court on March 12th has been delivered. Mr. Countryman of East Palmyra is also to appear in Court March 12th. Mr. Toole stated that Mario Morganti was granted approval for his sign by the Zoning Board of Appeals and his application is completed. Mr. Morganti indicated to our Zoning Officer that he was well satisfied with the way the Town of Palmyra treated his request.

ZONING
HERRMANN &
COUNTRYMAN IN
COURT 3/12

Supervisor Aplin spoke to the Board in regard to the problem with Junk cars along the road in front of William Hood's Junkyard on Trolley Road. The Town Attorney has talked with the Sheriff's Dept. in regard to the towing away of the cars and reported that there is a towing charge which someone will have to be responsible for. General discussion followed. David Lyon joined the meeting at 7:50 P. M. Supervisor Aplin read a letter sent by the Town Attorney February 2nd to Mr. Hood. The Town Clerk reported that Mr. Hood's Renewal application for his Permit will be going out soon. More discussion followed with the Board advising the Clerk to send a letter to Mr. Hood stating that the Board would like him to attend the next Board meeting at which time he can pick up the Renewal application.

DISC. RE:
JUNKYARD ON
TROLLEY RD.

HIGHWAY

Nothing to report at this time.

WATER - At this time, Dave Matthews and Joe Pullen of Hershey, Malone Associates came before the Board to discuss informally the bids on the construction of East Water District which were received and opened on February 20th. There were 14 bidders and the bids ranged from \$85,000 - \$129,000. There were some informalities on some of the bids and before Hershey, Malone make their recommendations to the Town Board, it will be necessary for the Board to decide if they will waive the informalities. The Town Attorney explained in detail to the Board the 2 informalities in the low bid. Discussion followed.

INFORMAL
DISC. RE:
BIDS FOR
EAST WATER
DIST.

The following Resolution was offered by Dave Lyon, seconded by Nelson Cook and passed with a vote of 3 ayes, David Lyon, Nelson Cook and Roy Aplin voting aye, Ed Wheeler Abstained:

RESOLUTION
TO WAIVE
INFORMAL-
ITIES IN
LOW BID

Whereas the L. M. Sessler bid did not affirmatively deal with the possible need for gravel on the project, which item was C-7 addendum 2, but the contractor has indicated that there would be no additional charge and Whereas the bid had affixed to it a seal which was different from the ordinary seal which the Board was informed was adopted by the Bidder Corporation as an announcement of its anniversary, both of which items do not materially affect the bid. NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra does hereby waive the informalities as set forth above in the bid of L. M. Sessler.

Continuing with reports from the Water Committee, the Board discussed briefly the Extension to North Water District. Approval has been received

DISC. ON
EXT. TO NO.
WATER DIST.

from Department of Environmental Conservation and the Clerk reported the papers concerning this project have been received by the Department of Audit and Control.

WATER BILLING The billing for the Town's Water Districts now being done through the Town Office was also discussed by the Board.

The Supervisor read a letter from John Steele, Wayne County Planning Office in regard to Grants for a Town Water Supply System.

TN. WIDE
WATER STUDY Chairman Cook reported that Hershey, Malone Associates may be able to report in regard to a TownWide Water Study at the next meeting.

NOTICE OF
MEETING
RE: GRANTS
& LOANS Supervisor Aplin read a notice of a meeting concerning Grant and Loans to be held by the Dept. of Agriculture Farm Home Administration at 7:30 P. M., Wednesday, February 28th at the Court House in Lyons. Projects of interest for Palmyra are East Water District, TownWide Water District and Landfill Transfer Station.

MOTION TO
PAY DUES
FINGER LAKES
WATER WORKS
ASSOC. Nelson Cook spoke of paying the dues for the Finger Lakes Water Works Association. A motion was made by Ed Wheeler, seconded by David Lyon to reimburse Nelson Cook in the amount of \$2.00 for dues for Finger Lakes Water Works Association. Motion Passed with 3 ayes. Nelson Cook abstained.

MOTION TO PAY
VILLAGE FOR
WATER - LAST
QTR. IN 1978 A motion was made by Nelson Cook, seconded by Ed Wheeler to pay vouchers submitted by the Village of Palmyra for payments of water, quarter ending December 1978. Motion passed with 4 ayes.

Chairman Cook will be reporting on the updating of the Rules & Regulations for the Water Districts.

DISC. ON
SUMMONS FOR
DELINQ. DOG
OWNERS -
CIVIL VS.
CRIMINAL Town Justice William Abbott came before the Board at this time to speak in regard to the handling of the Delinquent Dog Cases, civil versus criminal. In the past, a civil summons has been issued in case of a Delinquent Dog Owner. Mr. Abbott presented his reasons for requesting the Board to change the procedure and asked the Board to change the civil action to a criminal action and to have the Dog Warden appointed a Town Constable. Appearance Tickets would be issued instead of the summons and the dog cases could be handled easier and quicker, less paper work. This request was discussed at length. The Town Attorney reminded the Board members that he had presented a Proposed Local Law to the Board last

MOTION TO
APPT. DOG
WARDEN A TN.
CONSTABLE &
ISSUE APPEAR.
TICKETS October covering the issuing of Appearance Tickets. A motion was made by Ed Wheeler, seconded by Nelson Cook to appoint the present Dog Warden as a Town Constable and to change the status of the dog cases from civil to criminal with Appearance Tickets being issued instead of summons. Motion passed with 3 ayes and 1 no, Ed Wheeler, Nelson Cook, David Lyon voting aye, Roy Aplin voting no.

Joint Recreation Committee - Chairman Nelson Cook reported that the steel is in for the Palmyra Community Center Building.

Supervisor Aplin read a letter from Peter B. Edelman of the New York State Executive Dept. Division for Youth in regard to Wayne County Comprehensive Planning.

Consolidation - Chairman Ed Wheeler reported he has heard nothing.

TN. BOARD TO
MEET AT GAR-
LOCKS TO LOOK
AT ROD & GUN
CLUB Supervisor Aplin reported that he had talked with Dick Watson of Garlock Inc. and arrangements can be made to look over the Rod & Gun Club with someone from Garlocks, probably during the week. Following some discussion, it was decided to meet Wednesday, February 28th at 9:00 A.M. at Garlocks.

MEETING IN
MARION RE:
TRANS. STA. Landfill - The Board was advised of a meeting to be held on Tuesday, February 27th at 7:30 P.M. in Marion Town Hall concerning Transfer stations.

AFFIDAVIT OF PUBLICATION

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

REC'D
TOWN OF PALMYRA
NOTICE OF ADOPTION
OF LOCAL LAW
NO. 31/1979
PUBLIC NOTICE IS
HEREBY GIVEN that Local
Law No. 31/1979 has been
adopted by Resolution of
the Town Board of the Town
of Palmyra at its regular
meeting held February 22,
1979. Local Law No. 31 of
1979 provides for an
environmental review of ac-
tions in the town of
Palmyra and is to im-
plement for the Town of
Palmyra the State En-
vironmental Quality Review
Act as set forth in Article 2
of the Environmental
Conservation Law Part 617
and is on file in the office of
the Town Clerk of the Town
of Palmyra.
Dated February 27, 1979
Betsy B. Stubbings
Town Clerk
Town of Palmyra
N.Y. 14624 (135)

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

March 2, 1979

James Wallace
Foreman of the Publisher

Subscribed and sworn to before me

this 14th day of MARCH, 1979

Wallace
Notary Public

Fee: \$10.26

ROGER M. WALLACE
Notary Public, State of New York
Qualified in Ontario County
My Commission Expires March 30, 1979

BASIL A. PATERSON
Secretary of State



STATE OF NEW YORK
DEPARTMENT OF STATE
162 WASHINGTON AVENUE
ALBANY, NEW YORK 12231

March 7, 1979

Betty B. Stubbings,
Town Clerk
TOWN OF PALMYRA
Town Board Rooms
204 East Main Street
Palmyra, NY 14522

Dear Sir / Madam:

Please be advised that Local Law(s) No. 1
of 1979 of the Town of Palmyra
was/were received and filed on February 28, 1979.

We are enclosing additional forms for your future
use when filing local laws with this office.

Sincerely,

Gail A. Bates
Director
State Records &
Law Bureau

GB/fm

enc.

cc: State Comptroller
Division of Municipal Affairs

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

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

City of Palmyra

Town of Palmyra

Village

Local Law No. 1 of the year 19 79

A local law providing for environmental review of actions in the Town of Palmyra
(Insert title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

County

City of Palmyra

Town of Palmyra

Village

as follows:

Section 1. The purpose of this local law is to implement for the Town of Palmyra SEQR and Part 617.

Section 2. (a) The terms and words used in this local law shall have the same meaning as such terms and words are defined in Article 8 of the Environmental Conservation Law and Part 617, unless the context requires a different meaning.

(b) The following terms shall have the following meaning: SEQR - the State Environmental Quality Review Act as set forth in Article 8 of the Environmental Conservation Law, Part 617 - the rules and regulations set forth in 6NYCRR 617, EAF - Environmental Assessment Form, EIS - Environmental Impact Statement, Town - the Town of Palmyra.

Section 3. No action, other than an exempt, excluded or Type II action, shall be carried out, approved or funded by any agency, board, body, or officer of the Town of Palmyra, unless it has complied with SEQR, Part 617 to the extent applicable and this local law.

Section 4. (a) An EAF shall be prepared by or on behalf of any agency, board, body or officer of the Town of Palmyra in connection with any Type I action such agency, board, body or officer contemplates or proposes to carry out directly. For an unlisted action an EAF in a short or long form may be prepared to facilitate a preliminary determination of environmental significance.

(b) An application for permit or funding of a Type I action shall be accompanied by an EAF, and for an unlisted action may be accompanied by a short or long EAF as may be needed to assist the lead agency in making a preliminary determination of environmental significance. An applicant may prepare a draft

(If additional space is needed, please attach sheets of the same size as this and number each)

EIS to accompany the application in place of the EAF. In lieu of an EAF the planning board or a lead agency having authority to adopt its own regulations may adopt different procedure for reviewing environmental significance of unlisted actions. The lead agency shall make a preliminary determination of environmental significance of the action on the basis of the EAF, draft EIS or with respect to unlisted actions in accordance with its own procedures, as the case may be, and such other information it requires. Such determination shall be made within 15 days of its designation as lead agency or within 15 days of its receipt of all information it requires, whichever is later. For Type I actions a determination of non-significance shall be noticed and filed as provided in Part 617.10 (b); for unlisted actions a determination for non-significance shall be sent to the applicant and maintained in accordance with Part 617.7 (e) and 617.10 (f). After a determination of non-significance, the action including one involving a permit or funding shall be processed without further regard to SEQRA, Part 617 or this local law.

(c) The time of filing an application for approval or funding of an action shall commence to run from the date the preliminary determination of environmental non-significance is rendered, or if in lieu of an EAF the applicant prepares a draft EIS, from the date the applicant files a draft EIS acceptable to the lead agency.

Section 5. If the lead agency determines that an EIS is required, it shall proceed as provided in Part 617.8, 617.9 and 617.10. Commencing with the acceptance of the draft EIS, the time limitation for processing the application for approval or funding of the action, and a public hearing on the draft EIS, if any, shall be held concurrently with any hearing to be held on such application. The draft EIS shall be prepared by the applicant. Failure by the applicant to prepare an EIS acceptable to the lead agency shall, at the option of the lead agency, be deemed an abandonment and discontinuance of the application.

Section 6. The lead agency shall be determined and designated as provided in Part 617.6 and 617.7, except that in the following Type I and unlisted actions the lead agency shall be as provided herein: (a) adoption, amendment or change in zoning regulations not requiring a federal or state agency permit or approval - the Town Board; (b) construction or expansion of Town buildings, structures and facilities within the town not requiring a federal or state agency permit or approval - Town Board; (c) variances not requiring a federal or state agency permit or approval - Zoning Board of Appeals; (d) purchase, sale and lease of real property by the Town of Palmyra, not requiring a federal or state agency permit or approval - the Town Board; (e) planned unit development or cluster zoning not requiring a federal or state agency permit or approval - Town Planning Board; (f) site plan review and special use permit not requiring a federal or state agency permit or approval - Town Planning Board; (g) construction or expansion of nonresidential facility not requiring a federal or state agency permit or approval - Town Planning Board; (h) parking lot not requiring a federal or state agency permit or approval - Town Planning Board.

* The list of lead agencies in this Section is not intended to indicate a complete or ironclad predetermination of lead agencies within the municipality, but rather to serve as an example. Lead agencies will emerge through normal processing of actions, by agreement and by designation of the Environmental Conservation Commissioner. Thus, the list could change.

Section 7. The Planning Board shall act as the town clearinghouse for lead agency designation. Such clearinghouse shall assist agencies and applicants to identify other agencies, including federal and state, that may be involved in approving, funding or carrying out Type I and unlisted actions. The clearinghouse shall also make recommendations on the designation of a lead agency.

Section 8. Environmental review of actions involving a federal agency shall be processed in accordance with Part 617.16.

Section 9. The fees for review or preparation of an EIS involving an applicant for approval or funding of an action shall be fixed from time to time by a resolution of the Town Board.

Section 10. Critical areas of environmental concern may be designated by resolution of the Town Board in accordance with Part 617.4 (j).

Section 11. The following are deemed Type I actions in addition to those set forth in Part 617.12: None

Section 12. The following are deemed Type II actions in addition to those set forth in Part 617.13:

1. Reconstruction or repair of existing highways, including drainage, not involving the addition of new travel lanes.

2. Installation or repair of utility facilities within a highway right-of-way.

3. Reconstruction or replacement of bridges on the same location.

4. Construction of individual driveway entrances.

Section 13. This local law shall take effect immediately upon filing with the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Section 14. This local law when in effect shall repeal local law No. 1 of 1977 which previously implemented the State Environmental Quality Review Act.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 19 79.
~~County~~
~~City~~ of Palmyra was duly passed by the Town Board of the Town of Palmyra
~~Town~~ (Name of Legislative Body)
~~Village~~
on February 22 19 79 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____.
County _____
City _____
of the _____ was duly passed by the _____
Town _____ (Name of Legislative Body)
Village _____
not disapproved _____
on _____ 19 _____ and was approved _____ by the _____
repassed after disapproval _____ Elective Chief Executive Officer *
and was deemed duly adopted on _____ 19 _____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____.
County _____
City _____
of the _____ was duly passed by the _____
Town _____ (Name of Legislative Body)
Village _____
not disapproved _____
on _____ 19 _____ and was approved _____ by the _____
repassed after disapproval _____ Elective Chief Executive Officer *
on _____ 19 _____. Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on _____ 19 _____, in accordance with the appli-
cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____.
County _____
City _____
of the _____ was duly passed by the _____ on _____
Town _____ (Name of Legislative Body)
Village _____
not disapproved _____
_____ 19 _____ and was approved _____ by the _____ on _____
repassed after disapproval _____ Elective Chief Executive Officer *
_____ 19 _____. Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
_____ 19 _____, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of having been submitted to referendum pursuant to the provisions of ~~§ 36~~ ^{§ 37} of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ~~special~~ ^{general} election held on 19..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. of 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Betty B. Stubbings
Clerk of the County legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Town Clerk of the Town of Palmyra

Date: February 23, 1979

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF Wayne

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Signature]
Signature

Town Attorney

Title

Date: 2/26/79.

~~County~~

~~City~~

~~Town~~

~~Village~~

of Palmyra

Chairman Ed Wheeler reported on information gathered at the Association of Towns Meeting that there is a new Corporation which possibly could be of some assistance to Palmyra and Marion in their research of the feasibility of setting up a Transfer Station, New York State Environmental Facility Corp. located in Albany. Mr. Wheeler also reported on general information from the New York Meeting in regard to Solid Waste Management. Each town was asked to voluntarily submit within 2 months a map locating all known existing or former, public, individual or private landfill sites and suggested that Supervisor Aplin as Landfill Chairman undertake this project. Supervisor Aplin appointed Ed Wheeler to take care of this request.

INFORMATION
FROM N.Y. MTG.
RE: SOLID
WASTE MANAG.

Mr. Wheeler also reported on information gathered at the New York Meeting concerning Insurance.

He advised the Board that there is an organization called Underground Facility Protective Organization to call before any underground work is done.

Supervisor Aplin reported that he had checked at the County in regard to toll free telephone service for county business and found it to be too expensive. The request has been turned over to the Finance Committee for study and the Telephone Co. will be contacted regarding doing a study.

The Clerk requested some direction from the Board in regard to supplies from Pitney-Bowes for the copier and was advised to send a letter to Pitney-Bowes requesting them to stop the automatic delivery of supplies and advise the Town of amount of lead time required for ordering supplies.

SUPPLIES
FOR COPIER

Supervisor Aplin spoke to the Board concerning the service agreement on the copier. General discussion on copiers followed.

The annual reports of 1978 submitted by Town Justices Harry White and James Alsdorf were reviewed by the Board. A motion to receive and file the Town Justices annual reports was made by Ed Wheeler, seconded by David Lyon and passed with 4 ayes, no nos.

MOTION TO
REC. & FILE
TN. JUSTICE
ANNUAL REPORTS

At this time the Board turned their attention to Proposed Local Law #1 of 1979 - State Environmental Quality Review Act. Public Hearing was held on February 8, 1979. Supervisor Aplin reported on the discussion of State Environmental Quality Review Act at the County level and the Town Attorney, Paul Rubery gave the background on this Local Law. It updates Local Law #1 of 1977 and adopts the Rules & Regulations adopted by the State last fall. The Town Attorney recommended that the Town of Palmyra adopt this Local Law.

PROP. L.L. #1
S.E.Q.R.A.

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

RESOLUTION TO
ADOPT L.L. #1
OF 1979

WHEREAS, a Proposed Local Law providing for environmental review of actions in the Town of Palmyra was presented to the Town Board of the Town of Palmyra in December 1978 and copies of Proposed Local Law were on the desks of the Board members for the time required and WHEREAS, the Town Board of the Town of Palmyra held a duly advertised Public Hearing on February 8, 1979, NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra does hereby adopt Local Law #1, 1979 which provided for Environmental Review of Actions in the Town of Palmyra. (See attached copy of Local Law #1, 1979)

Supervisor Aplin reported on 2 Resolutions acted on at the County Board of Supervisors Meeting - one in regard to Landfills, the other a Resolution read by Supervisor Aplin, concerning the Enactment of Welfare limits in New York State. This Resolution required the signatures of the Town Board members.

DISC. RE. RES
ON COUNTY
LEVEL - WELFARE
& WELFARE
LIMITS

Town Attorney, Paul Rubery reported that the Planning Board has one minor change to make in the Mobil Home Park Ordinance and he then expects the Planning Board to recommend that the Town Board adopt the proposed Mobil Home Park Ordinance.

MOBIL H. PK.
ORDIN.

Mr. Rubery related information from the Association of Towns Meeting in New York City on various items, such as, Re-evaluation, Zoning, Cable TV, New Law on Public Contracts, New York State Building Code and Fire Codes.

MOTION
TO PAY
BILLS AS
SHOWN ON
ABSTRACT
#2A.

A motion was made by Ed Wheeler, seconded by Nelson Cook to pay the bills as shown on Abstract #2A, listed by Funds as follows: Vouchers #58-78, General Fund in amount of \$4164.70; Vouchers #13-17, Part Town in amount of \$6331.53; Vouchers #27-39, Highway III in the amount of \$2469.27; Vouchers #13-17, Highway IV in the amount of \$7824.24; Vouchers #4-6, Federal Revenue Sharing Fund in the amount of \$309.82; Vouchers #3&4, North Water Dist. in the amount of \$1044.24; Voucher #3, South Water District in the amount of \$6.86. Motion passed with 4 ayes and no nos.

MOTION TO
ADJOURN

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

Respectively submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

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

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

February 23, 1979

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 2nd day of March 1979

R. Wallace
Notary Public

ROGER M. WALLACE
Notary Public, State of New York
Qualified in Ontario County
My Commission Expires March 30, 1979

Fee: \$ 17.39

IN SENATE
JANUARY 15, 1979
REPORT OF THE
COMMISSIONER OF THE
DEPARTMENT OF
CORRECTIONS
ON THE
PROGRESS OF THE
REFORMS IN THE
PENITENTIARY SYSTEM
DURING THE
PAST YEAR
BY
JAMES J. HARRIS
COMMISSIONER
OF THE
DEPARTMENT OF
CORRECTIONS
ALBANY, NEW YORK
1979

March 8, 1979

19

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. Thursday, March 8, 1979 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 Attorney Paul Rubery, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine, Town Engineer Tony Malone and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Board were: David Matthews of Hershey Malone Associates, Sam DeMareo, Scott Ruthven, Phillip Retan, George Myers, Myron Wagner, George Ruthven and George Bailey.

MEETING
OPENED

The Public Hearing scheduled for 7:30 P.M. on the 8th day of March, 1979 in the Town Office, 204 East Main Street, Palmyra to consider the application of Sam DeMareo, 3344 Newark-Marion Road in the Town of Palmyra, for Special Authorization to establish a home occupation - small engine repair, was opened by Supervisor Aplin. The Clerk read the Proof of Publication and Mr. Aplin asked if there was anyone who wished to speak concerning this application. Mr. DeMareo was questioned by the Board members regarding the closeness of neighbors and amount of disturbance which would be created by noise from his shop. The recommendations from the Planning Board were read by the Clerk. A motion was offered by Bruce Wideman, seconded by Edwin Wheeler that the application submitted by Mr. DeMareo be approved with the recommendations of the Planning Board. Motion passed with 4 ayes and no nos. The hearing was closed at 7:45 P.M..

PUBLIC
HEARING
SPEC. AUTH.
S. DEMAREO

Communications reviewed by the Board were (1) a letter from the Newark Developmental Center concerning the placement of institutionalized persons and (2) a notice from the Town of Marion concerning the granting of a franchise to Wayne County Cablevision, Inc.

MOTION TO
APPROVE
DEMAREO
APPLICATION

COMMITTEES

Zoning - The Clerk advised the Board that Frank Koeberle of the Planning Board and Walter Magee of the Board of Assessment Review were notified of the expiration of their appointments. Mr. Magee has indicated he will serve another term.

COMMUNICA-
TIONS

Chairman Bruce Wideman questioned if there had been any contact from the Planning Board concerning the Proposed Mobil Home Park Ordinance. Town Attorney Paul Rubery advised that he expected the Proposed Ordinance to be in the Town Board's hands by March 22nd.

COMMITTEES

ZONING
APPTS. EXP.
IN MAY

Mr. Wideman spoke briefly concerning the New York State Building Code and he hoped the Board members would study the information on this code. In the near future, he would like to have the Board consider adopting this code in the Town of Palmyra.

PROP. MOB.
HOME PK. ORD.

Zoning Officer Francis Toole came before the Board to report that Alan Herrmann and Harry Countryman will appear in Town Court on March 12th. Mr. Toole stated that Mr. Countryman has cleared up some of the vehicles but there is other material still around on the property. When the Zoning Officer checked Alan Herrmann's property, he found one vehicle which Mr. Herrmann claims is an antique. Mr. Herrmann indicated that he has changed the address on the business (A&H Motors).

N.Y. STATE
BLDG. CODE

COURT
CASES
HERRMANN &
COUNTRYMAN

Mr. Toole also spoke in regard to Mr. Hood's Junkyard and advised the Board that a crusher is at the junkyard at the present time. Mr. Hood was notified by letter about attending the Town Board meeting in order to speak to the Board and pick up the Renewal application for the Annual License to operate the junkyard.

HOOD -
JUNKYARD

Assessment - Chairman Bruce Wideman reported that Judson Roney has been attending school and expects to attend schooling for Phase II in June at Cornell Univ. Mr. Wideman read portions of a letter from Mr. Roney advising of difficulties with the new Assessment Law - effective April 1, 1979.

ASSESSMENT
SCHOOL &
NEW LAW

CONSOLIDATION

DISC. RE:
RENOVATION
OF VILLAGE
HALL - D.
WILLIAMSON
REP. VILL.

David Williamson, a member of the Board of Trustees of the Village of Palmyra and a member of the Committee on Consolidation of Town & Village, had requested some time with the Town Board at this meeting. He came before the Board at this time to speak concerning the plans for renovating the Village Hall. The plans at present involve renovating the downstairs, including new wiring and a new heating plant. Many items to conserve energy will be included. Mr. Williamson advised the Board that the figure of \$9.00 per square foot would be the approximate rent, excluding Phone. An informal discussion followed covering the proposal from the Village and other possibilities. Mr. Williamson stated that he would see that the Board members received a copy of the full report. Other possible ways of consolidation, such as Highway Departments, were discussed.

DISC. RE:
JUNKYARD
WM. HOOD
PRESENT

At this time, Mr. William Hood came before the Board to discuss the problems involving the operation of the junkyard on Trolley Road. The Town has received many complaints concerning junk cars being left along the Highway for long periods of time and the Town has repeatedly requested Mr. Hood to clean up his operation. General discussion followed with the Board members advising Mr. Hood to get some ideas on paper as to what he will do to minimize the problem and to come to the next Board meeting. At that time, he can present his renewal application and the Board will decide about renewing his license to operate the junkyard.

WATERDISCUSSION

PROP. EAST
WATER DIST.
(CONSTR. OF
WATER LINE)

Water - Town Engineer Tony Malone sat in with the Town Board to discuss the status of the Proposed East Water District. At the last meeting, David Matthews reported on the bids received and opened on February 20th. At that time, the Town Board adopted a Resolution to waive informalities in the low bid. The Town Board has received the tabulation of the bids and the recommendations from Mershey Malone Associates. Several residents of the Town of Palmyra who are also union construction workers were in attendance at this meeting to inquire about several aspects of the Proposed Water Line construction. A lengthy discussion involving Board members, Town Engineer Malone, Town Attorney Paul Rubery and these residents followed with questions being raised concerning the bids, publication of the bids, how the Contractors are notified, abilities of the low bidders (generally, small contractors) as compared to the larger Construction companies, informalities in the bids, wage scale, use of local labor, financing and other related and unrelated items.

Chairman Nelson Cook reported that he had received word that the Town of Palmyra does not qualify for a Federal Grant to finance this project but he has been assured that there is a good possibility that the Town can receive a low interest loan thru FHA. Town Attorney Paul Rubery reported that the Town of Palmyra doesn't qualify for the Federal grant because the income level is too high in this area. Mr. Rubery also advised the Board of the procedures involving the FHA loan. Town Engineer Malone explained what the construction includes and advised what alternatives the Town could consider in case costs involved, such as construction of the water line, engineering fees, legal fees, financial and Bond consultant fees, amount to more than the \$94,000 limit. He stated that the recommendations are made, the bids are valid for 45 days and he will wait to be advised of the Board's decision. Mr. Malone recommended that the Town of Palmyra award the contract for the construction of the water line for the East Water District to low bidder, L.M. Sessler for \$85,075 with the contingency that the meter vault is not to be constructed without first the written authorization of the Board or the Town Engineer within the Contract period but after the water line is completed and there is a possibility that the Board would direct him not to install it. Decision on awarding

the contract was deferred until a full Board is in attendance.

In regard to the Town Wide Water Study, Mr. Malone reported that he has received the information on the assessed valuation and he will be ready to report to the Board with the preliminary draft at the April 12th meeting. He also stated that he expects Ontario, Walworth, Macedon and Marion to execute an agreement involving a water supply which eventually will benefit the Town of Palmyra.

DISC. RE:
TOWN WIDE
WATER SYS.
STUDY

Highway - Town Highway Superintendent James DeBrine came before the Board to seek their opinion in regard to disposing of some unused equipment (backhoe and truck). At one time he had been informed that the Landfill might be able to make use of Highway equipment. If the Landfill isn't interested in using the equipment, his recommendation was to declare the machinery surplus and advertise for sealed bids. A motion was made by Bruce Wideman to declare the equipment as surplus and to advertise for sealed bids - bids to be opened April 12th at 7:30 P.M.. Motion was seconded by Nelson Cook and discussion followed. A motion was made by Bruce Wideman, seconded by Nelson Cook to move on the question. Motion passed with 4 ayes and no nos. The motion to declare the equipment surplus and to advertise for bids was passed with 4 ayes and no nos.

HIGHWAY
SURPLUS
HOE & TRUCK

MOTION TO
DECL. EQUIP
SURPLUS &
ADV. BIDS

MOTION TO
VOTE ON QU.
MOTION
PASSED

Mr. DeBrine reported that the new Loader is expected any day.

Dog Warden Harold Fisher came before the Board at this time to get some information concerning the motion passed by the Town Board at the last meeting changing the dog cases from Civil to Criminal and the issuance of appearance tickets to delinquent dog owners instead of the Civil summons which have been issued up to this time. Mr. Fisher was interested to know how he was to be paid for serving the appearance tickets and he wanted to be sure the dog cases could be handled with appearance tickets. The Town Attorney advised the Board that the Town can't issue appearance tickets and handle delinquent dog owners under criminal actions until a Local Law is adopted. A motion was made by Edwin Wheeler to go back to serving summons to delinquent dog owners under Civil Law for the enforcement of the dog cases. Motion was seconded by Bruce Wideman and discussion followed with the Town Attorney alerting the Board to the requirements under the new Dog Law effective January 1, 1980 for shelter facilities. Mr. Rubery also explained the Local Law for increasing the dog fees. A motion was made by Edwin Wheeler seconded by Nelson Cook to move on the question. Motion passed with 4 ayes and no nos. The motion to go back to Civil cases with the delinquent dog owners was passed with 4 ayes and no nos. The Town Attorney will review the Proposed Local Laws on Appearance tickets and Dog Licensing fees and will update them if necessary.

DISC.
CRIM. VS.
CIVIL RE
DOG CASES

MOTION TO
GO CIVIL

MOTION TO
VOTE ON
QUESTION

MOTION
PASSED

Landfill - Supervisor Aplin reported to the Board in regard to a Notice of Inspection of the Sanitary Landfill by the Department of Environmental Conservation citing some violations. General discussion followed covering - annual cost of the operation, length of time the present site can be used, notice of meetings on transfer stations - one in Marion on March 13th and one in Macedon on March 15th, opening of a new cell and a report from Mr. Aplin in regard to a visit to the Marion Landfill and their operation.

LANDFILL

GEN. DISC.

Consolidation of Town & Village - Supervisor Aplin reported that he and Councilman David Lyon met with Lloyd Greene to look over the Garlock Rod & Gun Club. He feels the facility has possibilities but it needs a lot of work. Expiration date of the lease for the present facility at 204 East Main Street was discussed. Further discussion will be held over until next meeting.

CONSOLID. TN
& VILLAGE

Insurance - Supervisor Aplin requested Edwin Wheeler to check out a raise in the premium for insurance.

The Board discussed briefly the Pitney Bowes Service Agreement which expires April 1, 1979, but no action was taken at this time.

PIT. BOWES
AGREEMENT

MOTION TO
APPR. AUDIT
OF T.J. WHITE
BOOKS AS
SUBMITTED

The Board proceeded with Town business by auditing the books of Town Justice Harry White. A motion was made by Bruce Wideman, seconded by Nelson Cook that the books of Justice White were examined by the Town Board and approved as submitted. Motion passed with 4 ayes and no nos.

The Town Board discussed the vouchers which have been submitted by the Village of Palmyra for payment of water for the 1st quarter of 1979. The vouchers are listed on Abstract #3 - 1979.

MOTION TO
PAY BILLS

A motion to pay the bills as listed on Abstract #3 with the removal of the water vouchers for the 1st quarter of 1979 was made by Bruce Wideman, seconded by Nelson Cook. Motion passed with 3 ayes - Roy Aplin, Bruce Wideman and Nelson Cook voting aye and Edwin Wheeler abstained. The Abstract shows the vouchers paid as follows:

GENERAL FUND	VOUCHERS #86 - 99	1017.39
PARTTOWN FUND	" #19 - 21	48.46
HIGHWAY ITEM I	" #1	24.99
HIGHWAY ITEM III	" #40 - 50	820.93
HIGHWAY ITEM IV	" #18 - 23	7116.79
FEDERAL REVENUE SHARING	" #8	100.00
NORTH WATER DISTRICT	" #7	3779.65
SOUTH WATER DISTRICT	" #6 & 7	1882.60

TOTAL

\$14790.81

MOTION TO
ADJOURN

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

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

March 22, 1979

The regular meeting of the Town Board of the Town of Palmyra was opened at 6:00 P.M., Thursday, March 22, 1979 in the Town Office, 204 East Main Street, Palmyra, N.Y. by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Aplin, Town Councilman Edwin Wheeler, Bruce Wideman, Nelson Cook and David Lyon, Town Attorney Paul Rubery, Zoning Officer Francis Toole, and Town Clerk Betty Stubbings. David Matthews was present to represent Hershey, Malone & Associates.

MEETING
OPENED

A motion was made by Edwin Wheeler, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of the February 22, 1979 meeting. Motion passed with 5 ayes and no nos.

MOTION-APPROVE
MINUTES-2/22

COMMITTEES:

WATER - A motion was made by Edwin Wheeler to award the East Water District contract to the low bidder, L.M. Sessler, with the contingency that the meter vault is not to be constructed without written authorization of the Town Board or the Town Engineer within the contract period, but after the water line is completed and that the contractor be encouraged to use Palmyra labor whenever possible. The motion was seconded by David Lyon. Discussion followed regarding correspondence with the Village of Palmyra regarding the available supply of water and the Department of Environmental Conservation regarding approval of the water district. Supervisor Aplin stated that he did not support the water district before and does not support it now as he feels proper procedure was not followed concerning the petitions and several residents in the area do not want water. Councilman Wheeler stated that there was no opposition to the water district at the public hearings. The motion passed with 3 ayes and 2 nos - David Lyon, Edwin Wheeler and Bruce Wideman voting yes and Roy Aplin and Nelson Cook voting no.

MOTION-
EAST WATER
CONTRACT

Attorney Rubery reviewed the FHA financing and papers to be executed.

The following Resolution was offered by David Lyon, seconded by Edwin Wheeler, and passed with a vote of 5 ayes.

RESOLUTION-
FHA FINANCING
EAST WATER

WHEREAS, the Town Board of the Town of Palmyra, New York has determined that it is necessary for said Town to incur indebtedness for the purpose of providing a portion of the cost of improvements in the Route #31 East Water District to serve an area lawfully within its jurisdiction to serve; and

WHEREAS, the Town of Palmyra intends to obtain assistance from the Farmers Home Administration, United States Department of Agriculture, in the planning, financing and supervision of such undertaking by issuance of its bonds in the principal amount of \$94,000.

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

Section 1. The Supervisor and Town Clerk are hereby authorized to execute and deliver any and all documents in connection with the application by the Town of Palmyra, Wayne County, New York to the Farmers Home Administration for water fund indebtedness in the amount of \$94,000.

David Matthews of Hershey, Malone & Associates will contact L.M. Sessler regarding the necessary paperwork to be signed by the contractor. Discussion on bond consultants followed. A motion was made by David Lyon, seconded by Edwin Wheeler, giving Supervisor Aplin authority to select a bond consultant. The motion passed with 5 ayes.

DISCUSSION-
BOND CONSULT

The Pulcini voucher for water service to the Newfang property was discussed and Nelson Cook will check further on it.

MOTION
BOND CONSULT

The First Quarter Water Bill from the Village of Palmyra was discussed.

DISC-NEWFANG
WTR SERV

DISC-1st Qtr
WTR BILL

LANDFILL-
3/13 MTG
MARION

LANDFILL - David Lyon and Nelson Cook reported on the meeting they attended with the Marion Committee on March 13, 1979. Also attending the meeting were William Bentley of Environmental Facilities Corp., Charles Johncox of the DEC, John Steele of the Wayne County Planning Board and representatives from other area towns. Future possibilities discussed at that meeting included a transfer station, reclamation (recycling) center for a part or full county area and a steam generation plant. Discussion followed concerning the present landfill situation and future actions to be considered. Bruce Wideman stated that he feels the present landfill will remain useful for more than three additional years. Supervisor Aplin said he is willing to work with anyone on studies concerning future landfill solutions.

TRANSFER
STATION-
HORNELL &
GDCA

Edwin Wheeler and David Lyon reported they met with members of the DEC at Avon and visited the Hornell Transfer Station. On their return trip, they stopped at the Canandaigua Transfer Station. There will be another meeting with the Marion Committee at 7:30 P.M. on March 27, 1979.

HIGHWAY-
LOADER

HIGHWAY - The new loader has been received by the Highway Department.

ZONING

ZONING - Zoning Officer Francis Toole reported no serious problems concerning zoning.

MOBILE
HOME ORD.

The Mobile Home Ordinance was received from the Planning Board with revisions. Town Attorney reported that most revisions on the ordinance were terminology. The ordinance was referred to Bruce Wideman for review.

DISC-
JUNKYARDS

Mr. Countryman's litigation has been taken care of and the property has been cleaned up. Mr. Herrmann will return April 9, 1979. Attorney Rubery presented copies of Section 1202 of the Highway Code regarding parking on highways to the Board. General discussion on junkyards followed.

INGRAHAM
MOTION FOR
HEARING

The Clerk read a letter from Mrs. Carren Ingraham. Mrs. Ingraham is interested in opening a telephone answering service in her home and would like to know if any special hearings are necessary. Following discussion by the Board, a motion was made by Bruce Wideman, seconded by Edwin Wheeler, to hold a hearing for special authorization on April 26, 1979. The motion passed with 5 ayes.

CONSOLIDATION
DISCUSSION

CONSOLIDATION - The Board discussed a letter received from the Village concerning office space available in the Village Hall and the costs. The Garlock property was also discussed along with the present office space.

INSURANCE
DISCUSSION

INSURANCE - The Board discussed the insurance needs of the Town. Some of the present policies expire on April 26, 1979. Edwin Wheeler will check with some area agencies concerning policies and price comparisons.

MOTION-
JUNKYARD
LICENSE

Mr. William Hood appeared before the Board concerning the junkyard on Trolley Road. Supervisor Aplin stated that he would not support renewal of the junkyard license. Discussion followed concerning the problems with the junkyard in the past. Bruce Wideman made a motion to approve the junkyard permit for three months (April 1, 1979 to July 1, 1979) on probation. The motion was seconded by Nelson Cook and passed with 3 ayes and 1 no - Supervisor Aplin voting no. The \$25.00 fee will be due April 1, 1979 and if the permit is revoked, the appropriate fee will be reimbursed. Mr. Hood questioned the Board on procedures in order to build a house and three car building on the junkyard property. The Board advised him to contact Francis Toole.

ADDENDUM PER MOTION OF MINUTES OF APRIL 12, 1979

Supervisor Aplin read parts of a newspaper article regarding the Marion and Palmyra landfill meeting. Mr. Aplin felt that the article was misleading the people by saying Marion and Palmyra Boards have met and the article also indicates that the Towns are moving towards a joint landfill. At the present time, the meetings have been for study purpose only. Supervisor Aplin feels that it would be too expensive for the Town of Palmyra to combine with Marion at the present time. The DEC predicts the Palmyra landfill will only be useful for 2½ to 3 more years. Supervisor Aplin estimates it could go another eight years. Bruce Wideman predicts that the present landfill will last longer than three years with proper use. He stated that there have been good reports about the operation of the landfill. Supervisor Aplin stated he is willing to work with anyone on alternative studies, but would not act on any alternatives until it is economically feasible for the Town of Palmyra.

ASSESSMENT - The Town Attorney reported on the meeting held March 19, 1979 by the Town Assessor concerning the amendment to Sections 420-421 of the Real Property Tax Law. The changes are related to tax exempt properties and the forms will have to be filed annually with the Town to retain tax exempt status. Mr. Rubery advised the Board of future requirements for non-profit organizations and possible problems that may arise.

ASSESSMENT
DISC-TAX EXEMPT
TO FILE ANNUAL

New legislation (Assembly Bill A6660 and Senate Bill S-4286) intended to transfer the benefit of income tax deduction of real estate taxes from the property owner to the tenant or lessee was discussed by the Board. Supervisor Aplin reported that the County Board has appealed to the appropriate State representatives to repeal this legislation.

DISC- LEGISLATION
TAX BENEFIT TO
TENANT

A motion was made by Edwin Wheeler, seconded by Nelson Cook, to pay the bills as shown on Abstract #3A, listed by Funds as follows: Vouchers #100-115, General Fund in amount of \$4390.56; Vouchers #22, Part Town in amount of \$215.25; Vouchers #2-3, Highway Item I in amount of \$382.35; Vouchers #51-59, Highway Item III in amount of \$898.30; Vouchers #24-27, Highway Item IV in amount of \$7115.82; Vouchers #8-9, North Water District in amount of \$4219.82 and South Water District Vouchers #8-9 in amount of \$1871.68. Motion passed with 4 ayes.

MOTION TO PAY
BILLS AS SHOWN
ON ABSTRACT #3A

The motion to adjourn was made by Bruce Wideman, seconded by Nelson Cook and passed with 4 ayes.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

April 12, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. on Thursday, April 12, 1979 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 and Town Clerk Betty Stubbings.

BIDS ON
SURPLUS
EQUIP.
OPENED

The first item of business scheduled to come before the Town Board was the opening of sealed bids, published to be opened at 7:30 P.M. on April 12, 1979 in the Town Office, for the following surplus equipment (1) 1 - 1953 Bay city Diesel-powered Crawler Backhoe and (2) 1 - 1965 Ford F 1100 Truck with a 9' Garwood Dump Body. Supervisor Aplin declared the bids open and the Clerk read the Proof of Publication. The following bids were opened and read by the Clerk:

1. Bison Truck Parts, Inc., Buffalo, N.Y.	Back-hoe	\$1127.77
	Ford Truck	657.77
2. Don East, 3314 Shilling Rd., Marion, N.Y.	Back-hoe	\$ 510.00
3. Earl Lamora, 1343 Ridge Rd., Williamson, N.Y.	Ford Truck	\$ 300.00
4. Mike Galle, 2192 Bailey Rd., Ontario, N.Y.	Back-hoe	\$ 440.00
	Ford Truck	\$326.00
5. Larmour, Curran Rd., Shortsville, N.Y.	Back-hoe	\$ 451.00
	Ford Truck	\$ 401.00
6. Wm. Yeneralo, 2073 Ridge Rd., Ontario, N.Y.	Ford Truck	\$ 310.00
7. Craig Dustin, 386 Macedon Ctr. Rd., Macedon	Back-hoe	\$ 425.00
	Ford Truck	\$ 350.00
8. Ed Bradley, 214 Meadow Lane, Webster, N.Y.	Back-hoe	\$ 440.00
	Ford Truck	\$ 351.00
9. Dickinson & Everdyke, Inc., Palmyra, N.Y.	Ford Truck	\$450.00
10. Sitrin Brothers, Inc., Utica, N.Y.	Ford Truck	\$1111.11
11. Searle A Mead, Clyde, N.Y.	Back-hoe	\$1305.00
12. Dobbins Auto Parts, Inc., Adams, N.Y.	Back-hoe	\$ 612.00
	Ford Truck	\$ 510.00
13. Walt Pulcini, Inc., Palmyra, N.Y.	Back-hoe	\$1600.00
	Ford Truck	\$ 950.00
14. Huff Equipment Co., Honeoye, N.Y.	Back-hoe	\$1003.00
	Ford Truck	\$ 967.00
15. Amesbury, Macedon, N.Y.	Ford Truck	\$ 625.00
16. E.W. Koeberle, Palmyra, New York	Back-hoe	\$1425.00
	Ford Truck	\$1225.00
17. U.W. Sherburne, Palmyra, N.Y.	Ford Truck	\$1560.00
18. Harry Deery, Jr., Shortsville, N.Y.	Back-hoe	\$1130.00

BIDS CLOSED Supervisor Aplin declared the bids closed and referred the bids to the Highway Committee for study.

MOTION TO
APPROVE
MINUTES
MADE &
WITHDRAWN

The motion to dispense with the reading of and approve as submitted, the minutes of March 8th and March 22nd was made by Bruce Wideman and seconded by David Lyon. Under discussion, Supervisor Aplin read portions of the minutes of March 22nd concerning the report of the Landfill Committee in regard to meetings attended by Town Board members on Landfills and related problems, as well as transfer stations. Mr. Aplin stated that he felt what was reported in the minutes concerning what he had said during the discussion was out of context and after further discussion, Mr. Wideman withdrew the motion and Mr. Lyon withdrew the second to the motion.

MOTION TO
APPROVE MIN.
OF 3/8

The motion to dispense with the reading of and approve as submitted, the minutes of March 8th was made by Bruce Wideman, seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO
APPROVE MIN.
OF 3/22 W/
AMEND.

The motion to dispense with the reading of and approve as submitted the minutes of March 22nd was made by Bruce Wideman and was seconded by David Lyon. Under discussion, Mr. Wheeler asked that the minutes be amended and the Clerk was instructed to include that part which Supervisor Aplin stated was not included and/or out of context. The following paragraph will be added as an addendum to the minutes of March 22nd:

AFFIDAVIT OF PUBLICATION

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



James W. Werner, 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 16, 1979

James W. Werner

Foreman of the Publisher

Subscribed and sworn to before me

this 19th day of MARCH 19 79

[Signature]
Notary Public

Fee: \$.42

ROGER M. WALLACE
Notary Public, State of New York
Qualified in Ontario County
My Commission Expires March 31, 1981

81

Supervisor Aplin read parts of a newspaper article regarding the Marion and Palmyra landfill meeting. Mr. Aplin felt that the article was misleading the people by saying Marion and Palmyra Boards have met and the article also indicates that the Towns are moving towards a joint landfill. At the present time, the meetings have been for study purpose only. Supervisor Aplin feels that it would be too expensive for the Town of Palmyra to combine with Marion at the present time. The DEC predicts the Palmyra landfill will only be useful for 2 1/2 to 3 more years. Supervisor Aplin estimates it could go another eight years. Bruce Wideman predicts that the present landfill will last longer than three years with proper use. He stated that there have been good reports about the operation of the landfill. Supervisor Aplin stated he is willing to work with anyone on alternative studies, but would not act on any alternatives until it is economically feasible for the Town of Palmyra.

PARAGRAPH
TO BE ADDED
AS ADDED
DUM TO
MINUTES OF
3/22

The motion passed as amended with a vote of 5 ayes and no nos.

The Board reviewed the following communications: (1) Thank you from the family of James DeBrine, Sr. (2) a communication from the Department of Audit & Control in regard to Municipal Accounting Systems Manuals (3) Notice that Local Law #1 of 1979 has been received and filed in the Department of Audit & Control (4) New York State Department of Transportation - Notice concerning Road Project - Serial No. 53230 - 53366 - 22457SF. (5) Communication from Department of Agriculture & Markets concerning the first conference to acquaint local officials with the new State Dog Law - conference to be held on April 25th and 26th in Syracuse.

COMMUNICATIONS

COMMITTEES

Zoning - Zoning Officer Francis Toole stated that he had only a couple of routine matters to report on - (1) Mr. Herrmann has presented the documents as required by the Court and has been given a Conditional Discharge (Probation) (2) Mr. Toole received a call in regard to the placement of a trailer on State Property, (Canal). The State leaves this decision with the Town. A discussion followed concerning trailer placement on State Property, trailer placement in regards to the new (Proposed) Mobile Home Ordinance and use of trailers as residences while building new homes.

COMMITTEES

ZONING

Continuing under Zoning - Chairman Bruce Wideman moved that Walter Magee be appointed to another term of 5 years on the Board of Assessment Review and Frank Koeberle be appointed as Chairman of the Planning Board for a term of 5 years. Mr. Aplin stated that the appointments should be voted on separately and Mr. Wideman first questioned why but then stated he would change his motion. Mr. Wideman made the motion that Walter Magee be appointed to another 5 year term as a member of the Board of Assessment Review. The motion was seconded by Nelson Cook and passed with 5 ayes and no nos. Bruce Wideman made the motion that Frank Koeberle be appointed to another 5 year term as a member of the Planning Board. The motion was seconded by David Lyon and a discussion was held concerning the Board's designation of a Chairman for the Planning Board. Mr. Wideman questioned the number of years Mr. Koeberle has served as Chairman of the Planning Board. The Town Law was checked and the law states if the Town Board does not designate the Chairman, the Planning Board will choose the Chairman. The motion passed with a vote of 5 ayes and no nos. The Clerk will notify both Mr. Magee and Mr. Koeberle of their appointments.

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

W. MAGEE
APPTD TO
BD-ASSESS
REVIEW

F. KOEBERLE
APPTD. TO
PL. BD.

Assessment - Chairman Bruce Wideman reported that the Assessor's Office is in need of a secretarial chair. A motion was made by Bruce Wideman, seconded by David Lyon to approve the purchase of a secretarial chair for the Assessor's Office - price not to exceed \$170.00. Under discussion, Edwin Wheeler suggested that the used market be checked. Supervisor ~~XXXX~~ Aplin questioned what account should be used to pay for this chair. The Equipment Account is low - only enough to pay for a file cabinet which was ordered last fall and has since been delivered but not billed. Funds from the Contractual Expense Account or Personal Services Account may have to be used but no decision was made at this time. Chairman Wideman will advise the Assessor to keep the cost as low as possible. The motion passed with 5

ASSESSMENT

MOTION TO
PURCH. SEC
CHAIR

MOTION
PASSED

DISCUSSIONSEC. HELP
IN ASSESS.
OFFICE

The Board continued under Assessment with Chairman Wideman reporting that he had talked with Mr. Roney in regard to the secretarial help in his office. Of the \$2,000 allotted in the Budget for secretarial help in the Assessor's Office, \$975 has been used up to April 1, 1979. There has been a lot of property changes which involves a great deal of paper work. The Board agreed that perhaps after Grievance Day, the work load would decrease and would therefore cut down on the help needed. Mr. Wideman will take the message to the Assessor that he should make every effort to live within the Budget.

DISCUSSION
CONT'D RE:ASSESS.
OFFICE &
VILLAGE
BUDGET

Mr. Wideman also reported to the Board that he had reviewed the Proposed Budget of 1979-1980 for the Village of Palmyra and that the Village is proposing \$1,000 as salary for the Assessor, \$200 for equipment and \$500 for Contractual Expenses. This is a reduction in the salary from the Village to the Assessor. Mr. Wideman stated that considering the Village taxpayers are already paying towards the Assessor's Office in Town taxes, perhaps the Town Board should consider picking up the Assessor's salary in next year's budget and also consider per parcel billing to the Village for the 1100 parcels within the Village.

DISCUSSION
RE: TAX
EXEMPTION
LAW

Chairman Wideman also spoke to the Board in regard to Section 420 - State Law - State Board of Equalization and the new forms to be filled out by tax-exempt organizations and the investigation by the Assessor to determine if the organizations can claim tax exemption. He feels it should be made clear to the people that this is not a local situation but State dictated. Supervisor Aplin suggested that it be known that the Town's position is that it is State mandated, there is nothing the Town can do about it except protest it, it is not of our doing and the only thing that can be done is that the law has to be changed but we can only ask that the law be changed.

A letter from the Wayne County Board of Supervisors concerning an application for correction of taxes for 204 East Main Street was presented to the Board for review.

ZONING

Zoning - Returning to Zoning, Bruce Wideman reviewed the Proposed Mobile Home Ordinance, pointing out the changes which have been made. The changes were discussed by the Board. A motion was offered by Edwin Wheeler, seconded by Nelson Cook to adopt the following Resolution:

RESOLUTION
TO ADOPT
MOBILE HOME
ORDINANCE

WHEREAS, THE Planning Board of the Town of Palmyra has recommended the enactment of a new Mobile Home Ordinance, AND WHEREAS, a Public Hearing was held on November 9, 1978 after Notice of Public Hearing in the Town's Official Newspaper on October 20, 1978, NOW THEREFORE BE IT RESOLVED, that the Town of Palmyra does hereby adopt and pass the Mobile Home Ordinance of the Town of Palmyra dated April 12, 1979 as the Mobile Home Ordinance of the Town of Palmyra effective 10 days after publication and posting and does hereby repeal the existing Mobile Home Ordinance dated March 22, 1960.

Under discussion, Supervisor Aplin questioned what changes involved the pre-existing Trailer Parks and how these parks would handle the requirements under the new Ordinance. The new Ordinance allows present park owners to apply for waivers for exemptions to certain sections. The motion passed with 3 ayes and no nos. as follows:

Edwin Wheeler	Aye	Roy Aplin	No
Nelson Cook	Aye	Bruce Wideman	No
David Lyon	Aye		

HIGHWAYMOTION TO
AWARD BIDS
TO HIGH
BIDDERS

Highway - The Board returned to the business of the bids for the surplus equipment - sealed bids were opened earlier in the evening. Following a review of the bids received, a motion was made by David Lyon to award the bids to the high bidders - Walt Pulcini for the Back-hoe at \$1600.00 and U. W. Sherburne for the Ford Truck at \$1560.00. The motion was seconded by Nelson Cook. Under

AFFIDAVIT OF PUBLICATION

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

TOWN OF PALMYRA
NOTICE OF ADOPTION
Public Notice is hereby given that the following Resolution was adopted by the Town Board of the Town of Palmyra, at a regular Town Board Meeting held April 12, 1979:

WHEREAS the Planning Board of Town of Palmyra has recommended the enactment of a new Mobile Home Ordinance; AND WHEREAS a Public Hearing was held on November 9, 1978 after Notice of Public Hearing in the Town Official Newspaper on October 20, 1978 on motion duly made by Edwin Wheeler and seconded by Nelson Cook

NOW THEREFORE BE IT RESOLVED that the Town of Palmyra does hereby adopt and pass the Mobile Home Ordinance of the Town of Palmyra dated April 12, 1979 as the Mobile Home Ordinance of the Town of Palmyra effective ten (10) days after publication and posting AND DOES HEREBY repeal the existing Mobile Home Ordinance dated March 22, 1969.

By Order of the Town Board
Town of Palmyra
Dated April 24, 1979
Gerald B. Johnson

James Warner, 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 27, 1979

James Warner
Foreman of the Publisher

Subscribed and sworn to before me

this 4th day of May 1979

Edwin M. Wheeler
Notary Public

Fee: \$ 13.68

ELWIN M. WHEELER, Notary Public
for the State of New York
Qualified in Wayne County
My Commission Expires March 28, 1980

discussion, the Board questioned delivery of this machinery to the bidders and how payment was to be made. The motion was re-phrased as follows: The Town of Palmyra awards the bid of the surplus equipment to Walt Pulcini - Back-hoe for \$1600.00 and to U.W. Sherburne - Ford Truck for \$1560.00 upon presentation of a certified check at the time of pick up. A motion was made by Bruce Wideman, seconded by Nelson Cook to move the question. Motion passed with 5 ayes and no nos. The motion to award the bids passed with 5 ayes and no nos.

MOTION
RE-PHRASE

MOTION TO
MOVE THE
QUESTION

MOTION TO
AWARD BIDS
PASSED

Town Highway Superintendent James DeBrine spoke to the Board concerning the possibility of looking for a used pick-up truck or a small truck to transport equipment to be used for Cemetery and Landfill work. The surplus truck just put out for bid had been used for this purpose but had proven to be too big and it required a driver with a chauffeur's license to operate it. This meant that Supervisor Roy Aplin, Mr. DeBrine or one of his crew had to drive the truck when it was to be used. Possibilities of a truck for the purpose of Cemetery and Landfill use were discussed by the Board but no action was taken at this time.

DISC. RE
TRUCK FOR
CEM & LAND
WORK

Supervisor Aplin presented 2 sets of maps received from Donald Schwartz on the Culvert Survey. The maps were reviewed quickly by the Board and the Town Highway Superintendent and when it was determined that some culverts were missing, the Board requested Mr. DeBrine to review the maps and make note of the culverts not shown. The voucher listed on the abstract for Mr. Schwartz was deleted - payment will not be made until the maps are corrected.

CULVERT
SURVEY MAPS

Insurance - Chairman Edwin Wheeler reported that when he checked in regard to the availability of a County Insurance Program and found that the County program could not be utilized this year, he contacted some local agencies and requested them to submit proposals for the Town's Insurance. He then discovered that it was too late for necessary bids for the Town's Insurance program because the Town's Insurance was already into the grace period on the largest part of the Insurance program - General Liability - anniversary date was April 6, 1979. VanParys Associates had a proposal for an umbrella policy for insurance coverage and Mr. Wheeler advised the local agencies not to submit proposals at this time. Considering the above circumstances, Edwin Wheeler made the motion to accept VanParys Associates proposal for insurance coverage for the Town of Palmyra as submitted at a cost of \$15,277. Motion was seconded by Nelson Cook. Under discussion, Supervisor Leroy Aplin questioned the total figure as quoted by Mr. Wheeler and he questioned who was contacted for proposals. Mr. Wheeler responded that Chapman Agency, Marvin Agency and Knapp Agency as well as VanParys, had been requested to submit proposals. Supervisor Aplin stated that he felt the Town kept getting hit harder and harder on insurance costs, that he was tired of this business, that the insurance for the Town of Palmyra should be studied and put out for bid, that the County had saved considerable money by bidding. The costs for insurance last year and budgeted figures for this year were discussed. A problem is that no one wants to write a General Liability policy of the sort that is required by the Town. Bruce Wideman stated that he was sure the Board agreed with what the Supervisor said. The Town should try to get insurance at the cheapest cost but right now the Town needed the coverage. Discussion continued covering problems in the past, cost of premium from year to year, self insurance program through the County, coverage under umbrella policy with VanParys Associates. Motion was passed with a vote of 4 ayes - 1 no - Roy Aplin voting no.

INSURANCE

MOTION TO
ACCEPT VAN
PARYS PROP.

DISCUSSION
RE: INSURANCE

Water - Chairman Nelson Cook had nothing to report at this time.

Supervisor Aplin referred to a letter sent to each member of the Board

DISC. RE: by the Village of Palmyra (Water Cashier) concerning the water meter books.
METER for the North and South Water Districts of the Town of Palmyra. The Village
BOOKS requested that the meter books be returned to the Village office after each
 quarters Town billing. The Board advised the Supervisor to send a letter
 stating that the books are Town records and cannot go from the office but
 will be available for inspection by anyone who wished to come to the Town Office
 to look at them during regular business hours.

The Clerk reported that the Town Office has received the easement needed for
 the East Water District from the Town Attorney.

LANDFILL Landfill - Supervisor Aplin reported to the Board concerning a letter- Notice
LETTER of Inspection of Sanitary Landfill, Town of Palmyra. A minor violation was
RE: INSP marked but the Inspection sheet stated the site was in good shape. Mr. Aplin
 also reported that a new cell is being dug. He stated that the operation is
 running smooth and efficiently, is in good shape.

REPORT RE: David Lyon reported that although there have been no recent meetings of the
MTCS. W/ Committees concerned with setting up a joint venture for refuse disposal with
MARION the Town of Marion, he would like to offer the following resolution:

RESOLUTION RESOLVED: that the Town of Palmyra shall in the future have the intention
RE: JT. REUSE to explore the possibility of Joint Refuse Handling Facility with the
POUSE FACIL. Town of Marion.

The resolution was seconded by Nelson Cook. Mr. Lyon stated that he understood
 there was some discussion in regard to this at the County level but Supervisor

DISCUSS. Aplin said he was unaware of any discussion of this sort, perhaps it was being
ION RE: discussed in Committee, had not been before the whole Board. Under discussion,
RESOL. Supervisor Aplin stated that he has no intention of supporting this Resolution,
 he has already made his position clear. He agreed that Marion is in desperate
 shape as far as a landfill but he feels that they (Marion) have come up with
 nothing concrete or solid as far as any facts are concerned, therefore, he feels
 that Marion should take care of themselves, Palmyra will take care of themselves,
 that Palmyra is running a good landfill, quite economical, very reasonable and
 sufficient. Mr. Aplin stated his objections to statements in the paper concerning
 a Resolution of Intent to join with the Town of Palmyra in a Refuse Transfer
 Station, he thought the meetings were held to conduct a study not make commitments.
 Mr. Wheeler said the Resolutions would give the Committee some clout, they can
 then go to the DEC with a complete study to see what's available in regard to
 funding facilities, etc. He feels the Resolutions are letters of intent, not
 committed, and would authorize the Committees of the two Boards to pursue a

MOTION route which will be the way to go in the future. Mr. Wheeler made the motion
TO MOVE to move the question and the motion was seconded by Nelson Cook. Bruce Wideman
QUESTION questioned the reasoning of voting the question and stated that he didn't feel
 the two Boards were voting on the same thing. He questioned why the Town of
 Palmyra doesn't investigate what it would cost to establish a Transfer Station.
 He stated that he was not interested in going in with Marion until the Board

MOTION has checked if it is feasible to have a Transfer Station in Palmyra. Mr. Wheeler
WITH- withdrew the motion to move the question and Mr. Cook withdrew the second.
DRAWN

The Board discussed further the suggestion that the Town have the Town
DIS. RE: Engineer, Tony Malone, explore the possibility of a Transfer Station on Garnsey
TRANS. Rd. for the Town of Palmyra.
STA. IN
PALMYRA

The Resolution passed with a vote of 3 ayes, 2 nos. Edwin Wheeler, Nelson
RESOLU. Cook and David Lyon voting aye, Leroy Aplin and Bruce Wideman voting no.
PASSED

The Board again discussed the Transfer Station for Town of Palmyra and Bruce
MOTION Wideman made the motion to contact the Town Engineer to do a study of a Transfer
TO HAVE Station for the Town of Palmyra. The motion was seconded by David Lyon and passed
TH. ENG. with a vote of 4 ayes and 1 no, Leroy Aplin voting no. Mr. Wideman will contact
DO STUDY

the Town Engineer, Mr. Malone in regard to this study. A question was raised concerning the anticipated life of the present landfill. Bruce Wideman will review the status of the landfill and report to the Board.

Consolidation - Chairman Edwin Wheeler questioned the status of the lease for the present office space and Supervisor Aplin replied that Anson Johnson Jr. had indicated that the lease could be renewed, present lease expires May 1, 1979.

DISCUSSION
RE: LEASE
FOR OFFICE

Considering the fact that the Town rents property for the assessment office in a building he and his wife owns, Mr. Wheeler at this time asked to be relieved of consolidation, phases that have to do with rental or lease of property or purchase of property in order to avoid a conflict of interest. He will continue to work on Consolidation.

Bruce Wideman questioned if the Village of Palmyra has been contacted in regard to the Board's decision concerning the renting of a portion of the Village Hall. Mr. Wheeler suggested that the Supervisor contact the Village Government via the Mayor to inform them that the Town has no interest in renting a portion of the Village Hall for Town Offices, the Board considers to do so would increase the burden on the taxpayers unnecessarily.

DISCUSSION
RE: SPACE IN
VILLAGE HALL

David Lyon suggested that the Town Board meet with representatives of Garlock Inc. to check on the Rod & Gun Club, the use, restrictions, stipulations involved. The Supervisor was requested to contact John Lynn to arrange a meeting between Garlock representatives and the Town Board, perhaps an evening meeting, to discuss the possibilities.

DISCUSSION
RE: GARLOCK
ROD & GUN
CLUB

Joint Recreation Commission - Chairman Nelson Cook reported on the status of the new Community Center. He also stated that the new fund campaign is underway.

Unfinished Business - The service agreement for the Pitney Bowes Copier was discussed. A motion was made by Bruce Wideman, seconded by David Lyon to approve payment of \$174.00 for one year Service Agreement with Pitney Bowes for #253 Copier. Motion passed with 5 ayes, no nos.

MOTION TO
APPROVE SERV
CONTR. W/ PIT
NEY BOWES

The Clerk will check on Service Agreement on the Lanier recorder.

The Board discussed briefly the conference on the new Dog Law, letter was presented with communications. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to approve attendance of the Town Clerk and Dog Warden at this Conference at town expense. Motion passed with 5 ayes and no nos.

MOTION TO
APPR. ATTEND
ANCE AT CONF

David Lyon spoke to the Board concerning some volunteer help for Dog Warden. There are many dog complaints and Mr. Fisher can't answer them all, especially during his regular working hours. No action was taken at this time.

VOL. HELP
FOR DOG
WARDEN

Supervisor Aplin read a letter from Mrs. E. Johnson informing the Board of the action involving the Senior Citizens. The Town Board approved payment of the monies allowed in the Budget for the Senior Citizens, upon receipt of a signed voucher.

Supervisor Aplin reported to the Board in regard to a need for a Transfer of funds in the North Water District and the South Water District to cover Employee Benefits. The motion to approve the Transfer of Funds in the amount of \$15.12 in the North Water District and the Transfer of Funds in the amount of \$8.14 in the South Water District was made by Edwin Wheeler and seconded by David Lyon and passed with 5 ayes.

MOTION TO
APPROVE
TRANS. FUND
IN WATER
DISTRICTS

The motion to pay bills as shown on Abstract #4 listed by funds as follows deleting voucher of \$279.71 for Donald Schwartz, was made by Bruce Wideman,

MOTION TO
PAY BILLS

Seconded by Nelson Cook and passed with 4 ayes - Edwin Wheeler abstained:

GENERAL FUND	Vouchers #134 - 155	\$3174.85
PART TOWN FUND	Vouchers # 27 - 28	237.88
HIGHWAY ITEM I	" # 4 - 6	1482.47
HIGHWAY ITEM III	" # 60 - 72	42481.64
HIGHWAY ITEM IV	" # 30 - 31	3917.91
FEDERAL REVENUE SHARING	" #10	33.00
NORTH WATER DISTRICT	" # 12 - 13	28.18
SOUTH WATER DISTRICT	" # 12 - 13	15.18
TOTAL		\$51371.11

MOTION TO
ADJOURN

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

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

April 26, 1979

33

The regular meeting of the Town Board of the Town of Palmyra was opened on Thursday, April 26, 1979 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 Bruce Wideman, Edwin Wheeler and Nelson Cook, Water Superintendent Harold Kruger, Town Engineer Tony Malone, Zoning Enforcement Officer Francis Toole and Town Clerk Betty Stubbings.

MEETING
OPENED

COMMUNICATIONS -

A letter was read by the Clerk from the Palmyra-Macedon Central School, J. McGovern, District Clerk requesting the use of 2 Voting Machines for the School vote in June. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to approve the request from the Palmyra-Macedon Central School for the use of two (2) Voting Machines for June 6, 1979 for the Budget and Board member vote to be held in the High School in Palmyra. Motion passed with 4 ayes and no nos.

COMMUNICATIONS

MOTION TO
APPROVE
USE OF 2
VOT. MACH.
BY SCHOOL

Town Councilman David Lyon joined the meeting at this time.

COMMITTEES

WATER

COMMITTEES -

Water - Town Engineer Tony Malone came before the Board to present information concerning the updating of a Proposed Water System for the Town of Palmyra. The Town Board had requested Hershey-Malone Associates to do a study and Mr. Malone stated that the objective of the study was to update the report that had been done in 1970-71 relative to expanding water service in the Town of Palmyra. The 4 concepts portrayed by Mr. Malone reflect a source of water being furnished to the North and East portion of Palmyra from the Town of Macedon with the Southern area being served from the Village. All of the concepts would be economically unfeasible without a Federal Grant but Mr. Malone felt that Item III represents the very minimum alternative that should be given strong consideration and represents Step I of many steps that would be required to meet the long term objective of providing a public water supply to the populated areas of the Town. All 4 concepts were explained in detail by the Town Engineer with the Board members and the Water Superintendent asking questions during the presentation. Town Councilman Bruce Wideman made the suggestion the presentation be referred to the Water Committee for study and recommendations to the Town Board. A copy of Mr. Malone's presentation to the Town Board is on file in the Town Office.

PRESENTATION
BY T. MALONE
TOWN WIDE
WATER SYS.

In regard to the East Water District, Town Engineer Malone reported that there is a pre-construction meeting with the contractor scheduled for 10:00 A.M. Friday, April 27, 1979 in the Town Office and he expects construction to begin the first of next week. There will be a Resident Inspector from Hershey-Malone Associates on the job.

EAST WATER
DISTRICT

Chairman Nelson Cook questioned Mr. Malone in regard to getting started on the installation of the Master Meter Vault for the North Water District.

M. METER
VAULT-NO. DIS.

JOINT RECREATION COMMISSION -

JT. REC. COMM.

The Palmyra Community Center Office contacted the Town Office to request some time for James Sapienza, Chairman of the Fund Drive, to come before the Town Board to speak concerning the new Palmyra Community Center and the new Fund Drive. Mr. Sapienza came before the Board at this time and stated that considering the Community Center services the Town as well as the Village, the Town Board should be kept informed of the progress of this project. He spoke to the Board concerning the details of the up-coming Public Sanitation Drive. A brochure is being compiled explaining the background of the Center and the expectations for the future. There will be inserts going into the Courier-Journal and the Timesaver. A sketch of the project was reviewed and the Town's participation in submitting an application for BOR Funds was discussed, as well as, future commitments by the

J. SAPIENZA
INFO. ON
NEW CTR. &
FUND DR.

J. SAPIENZA'S
REPORT
CONT'D

Town in the Budget for next year. The Community Center's Budget and Program were also discussed. Mr. Sapienza also stated that he came before the Board with a couple of requests. The first one was a request for a Resolution from the Board proclaiming May 19th - 25th as Community Center Week during which time the Public Solicitation Drive will be underway. The other request was to ask Supervisor Aplin to allow his name to go on the Advisory Committee.

RESOLUTION

PALMYRA
COMMUNITY
CENTER
WEEK

The following Resolution was offered by Edwin Wheeler, seconded by Nelson Cook and passed with a vote of 5 ayes and no nos:

WHEREAS, the Palmyra Community Center has become an institution in Palmyra and become well known for its dedication and assistance to the youth of Palmyra, and

WHEREAS, in recognition of its efforts, the citizens of Palmyra have undertaken to erect a new and much needed facility,

NOW THEREFORE, the Town Board of the Town of Palmyra hereby declares that in special recognition of the special efforts of the people of Palmyra and the contributions of the Palmyra Community Center, the week of May 19 to May 25, 1979 will be and hereby is declared to be COMMUNITY CENTER WEEK and all residents of Palmyra are encouraged to join in this special event.

MOTION TO
APPROVE USE
OF TN. EQUIP.

Continuing under Recreation, Chairman Nelson Cook asked the Town Board for approval to use some Town equipment for grading at the Community Center Project. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to grant approval to Mr. Cook's request to use Town equipment at the Palmyra Community Center Project subject to the approval of Town Highway Superintendent James DeBrine. Motion passed with 5 ayes and no nos.

Town Attorney Paul Rubery joined the meeting at this time.

ZONING

REPORT FROM
ZON. OFFICER

ZONING -

Zoning Officer Francis Toole reported that he had only had routine matters and inquiries to take care of. He has checked recent violators and they all seem to be conforming at this time. He spoke to the Board concerning the request from banks that the findings in regard to water supply and septic systems be written on Town stationery.

N.Y. STATE
BLDG. CODE

Chairman Bruce Wideman advised the Board that the New York State Building Code has been reviewed by the Planning Board and he read portions of the minutes from the meeting of that Board. The Town Attorney reported to the Board that he was fairly certain that recommendations would be coming from the Planning Board for the adoption of the Code.

PROPOSED
(REVISED)
ZONING ORD.

Mr. Wideman also brought before the Board the suggestion that the Planning Board review the Proposed Zoning Ordinance. The Town Attorney advised that the Planning Board would like some assistance with the sub-division details and specifications. Following some discussion, the Board's decision was to ask the Planning Board to review the Proposed Zoning Ordinance and make a report of their recommendations at the July 12th Town Board meeting.

ASSESSMENT

TAX-EXEMPT
ORGANIZATIONS

ASSESSMENT-
Under Assessment, The Town Attorney and Chairman Wideman discussed briefly with the Board, the work being done by the Assessor in regard to the exemptions for not-for-profit organizations. Meetings are being held and the Board members are most welcome to participate.

ZONING-CONT'D
MOBILE HOME
ORDINANCE

Returning briefly to Zoning, the Clerk reported that the pages with the corrections of the Mobile Home Ordinance have been re-typed but it has been decided that the whole Ordinance should be re-typed before the copying or printing is done. The question of the number of copies needed and cost to those who wish a copy was discussed.

ZONING MAP

Zoning Officer Francis Toole spoke to the Board concerning the updating of the Zoning Map.

HIGHWAY -

Chairman David Lyon stated that there was nothing to report other than the Town crew is working on the usual Spring clean-up, picking up cans, bottles and road litter. Mr. Lyon also stated that the mower has arrived.

HIGHWAY
SPRING
CLEAN-UP

LANDFILL -

Supervisor Aplin reported that a new cell is being dug. Discussion followed in regard to size, depth and life expectancy of the cells and whether or not the access road will be changed.

LANDFILL
GEN. DISC

CONSOLIDATION OF TOWN & VILLAGE-

CONSOLIDATION

Chairman Edwin Wheeler had nothing to report at this time.

INSURANCE -

INSURANCE

Supervisor Aplin reported that he had received an Annual Report form from the U.S. Department of Housing & Urban Development - National Flood Insurance Program, which he referred to Edwin Wheeler to complete and return.

Insurance Chairman Wheeler furnished more information to the Board on the Insurance coverage. He made the suggestion that the Town Clerk be advised to include a reminder concerning Insurance coverage on the agenda for the Organization-al meeting in 1980.

UNFINISHED BUSINESS-

UNFIN. BUS.
SERV. AGREE.
ON RECORDER

The Service Agreement with Lanier Business Products, Inc. on the Lanier / Edisette 1977 Recorder was discussed.

Edwin Wheeler questioned the information in the paper concerning the Wayne County surplus of \$7,700,000 and requested the Supervisor to check at the County for possible return of surplus funds to the taxpayers. After due deliberation on Mr. Wheeler's request, the following Resolution was unanimously carried by the Town Board:

SURPLUS AT
CO. LEVEL

WHEREAS, it has come to the attention of the Town Board of the Town of Palmyra that Wayne County has a Budget surplus of approximately \$7,700,000, and
WHEREAS, it appears that such surplus is well beyond any amount which is required for the sound operation of the County Government, and
WHEREAS, the rate of inflation has put a great financial strain on local government and its' taxpayers, and
WHEREAS, the County of Wayne is not in the investment business,
NOW, on a motion by Edwin Wheeler, seconded by Nelson Cook and unanimously carried,
BE IT RESOLVED, that the Town Board of the Town of Palmyra hereby requests that the Wayne County Board of Supervisors return to the Towns and the Tax-payers of Wayne County all of the surplus funds on hand which exceed that necessary for the sound financial operation of County government as soon as practicable.

RESOLUTION
TO WAYNE
CO. BD.
OF
SUPERVISORS
REQ. RETURN
OF SURPLUS

The Clerk advised the Board that there are several books which have been kept in the Town Office for many years concerning records and information of veterans in the Town of Palmyra, in particular from World War II. The Board requested the Clerk to check with the Town Historian and ask Miss Warner to make recommendation to the Board concerning these records.

WAR RECORDS
IN TN. OFFIC

The Clerk made a report to the Town Board in regard to a conference held in Syracuse on the new Dog Law, effective January 1, 1980.

CLK'S RE-
PORT ON DOG
LAW

A motion was made by Bruce Wideman, seconded by David Lyon to pay the bills as listed by funds on Abstract # 4A. Motion was passed with 5 ayes and no nos.

MOTION TO
PAY BILLS

GENERAL FUND	Vouchers #156 - 170	\$2056.04
FEDERAL REVENUE SHARING	" 11 - 12	227085.52
HIGHWAY ITEM I	" 7 - 9	4291.58
HIGHWAY ITEM III	" 73 - 78	302.04
HIGHWAY ITEM IV	" 32	622.50
TOTAL		\$34277.68

The motion to adjourn was offered by Edwin Wheeler, 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

May 10, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:40 P.M. on Thursday, May 10, 1979 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler and Bruce Wideman, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Steve Jackson of the Courier-Journal was also present.

MOTION TO
APPROVE MIN.
OF 4/12 &
4/26

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to dispense with the reading of and approve as submitted the minutes of April 12th and April 26th. Motion passed with 3 ayes and no nos.

Communications - A communication from the Town of Macedon in regard to a Notice of Public Hearing concerning Zoning Map changes was presented to the Board.

COMMITTEESCOMMITTEESZONING

Zoning - Zoning Officer Francis Toole reported that he had received a call from a concerned Town resident in regard to contact with property owners on Route 21 for a site for a Transfer station.

CALLS RE:
TRANS. STA.
SITE

Mr. Toole also reported that he has received 3 requests for Building Permits for 1 lot sub-divisions - new residences.

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

REQUEST
FOR PERMIT
FOR GRAVEL
PIT

Continuing under Zoning, the Clerk reported on a call received from Sandy Brennan of the Department of Environmental Conservation in regard to a permit for the Town of Marion to operate a gravel pit - some of the property involved is located in the Town of Palmyra. The Department of Environmental Conservation has requested the Town to appoint the Lead Agency - a requirement under Section 617 of the State Environmental Quality Review Act. The area is situated in an Agricultural District and comes under a Type I Action. Following discussion on this request, a motion was made by Bruce Wideman to appoint the Town of Palmyra Planning Board as the Lead Agency in this action. Motion was seconded by Edwin Wheeler and passed with 3 ayes, Roy Aplin, Bruce Wideman and Edwin Wheeler voting aye, David Lyon abstained. The Clerk will inform Ms. Brennan by phone and letter of the Board's decision.

DEC REQ.
APPT. OF
LEAD
AGENCYMOTION TO
APPT. PL. BD.
AS LEAD
AGENCY

Mr. Wideman advised the Board that he had received a request from the Planning Board for assistance with their review of the Proposed Re-vision of the Zoning Ordinance of the Town of Palmyra.

HIGHWAY

Highway - Town Highway Superintendent DeBrine was not present at the meeting but had left word with the Clerk that he needed Board approval to purchase

MOTION TO
APPR. PURCH.
OF TIRES

some tires. A motion was made by David Lyon, seconded by Edwin Wheeler to grant approval for the purchase of 4 - 1100 x 22 Traction Firestones at \$140.00 each and 4 - 1100 x 22 tubes at \$10.00 each. Motion passed with 4 ayes and no nos.

LANDFILL

Landfill - Supervisor Aplin reported that a notice, dated April 24, 1979, has been received from the Department of Environmental Conservation indicating some violations at the Landfill - inspection was made on April 18, 1979.

NOTICE OF
VIOLATIONSTRANS. STA. MTG.

Mr. Aplin also reported that he had received notice from Doug Orbaker of a meeting to be held May 9th on the Proposed Transfer Station. David Lyon stated he had been contacted but was not able to attend that meeting.

WATERWater -EAST WATER
DISTRICT
MIN. OF
SPEG. MTG.

East Water District - Minutes of a Special Meeting held Friday, May 4, 1979 were read by the Clerk.

LETTER FROM
V. OF PAL.
RE: PIPE

Supervisor Aplin read a letter from the Village of Palmyra advising the Town Board that the Board of Trustees of the Village of Palmyra agreed to accept the use of asbestos pipe in the installation of the water line for the

East Water District with the following conditions:

1. The Board of Trustees of the Village of Palmyra have agreed to accept the installation of asbestos pipe, some 750' from Kent Street to the Village Corporation line on Route #31, to be installed by the Town of Palmyra at no charge to the Village of Palmyra.
2. The Board of Trustees of the Village of Palmyra request that the line from Kent Street on Route #31 to the Village Corporation Line, some 750', when completed, shall be dedicated to the Village of Palmyra. Prior to dedication, the Board of Trustees of the Village of Palmyra request that the Village of Palmyra Water Superintendent Harold Kruger be allowed to inspect the line and view the fittings prior to covering. A Master Meter must be in place and operational prior to the Town of Palmyra's use of water at the corporation line between the Village of Palmyra and the Town of Palmyra on Route #31.
3. A valve is to be placed on Vienna Street (cost of which is to be borne by the Town of Palmyra) at the corporation line and shall be closed, except in an emergency, thereby assuring that the flow of water to the six (6) residents on Vienna Street in the Town of Palmyra shall come from the new Route #31 Town of Palmyra East Water Line.
4. When an agreement shall be drafted for Route #31, East Water District line, the six property owners, namely, L. Wiseman, D. Sinclair, F. Halsey, R. De-Smith, R. Gannon and E. Butler, on Vienna Street, east of the Village of Palmyra Corporation line in the Town of Palmyra, shall become a part of the East Water Line District, on Route #31.

The status of the East Water District was discussed. Correspondence received concerning this new district was reviewed by the Board. A draft of an informational letter to be sent to the residents in the district was discussed and it was decided to check with Joe Pullen of Hershey-Malone Associates concerning this letter.

Joint Recreation Commission - Supervisor Aplin reported on the application for a Community Development Block Grant which the Town of Palmyra has been working on along with some of the other Towns in the County. A recent news release from Congressman Frank Horton's Office was published in the Courier-Journal on May 4, 1979 indicating there were funds available for Housing Rehabilitation in the Town of Palmyra. After checking into this with phone calls to the Wayne County Planning Office and receiving some communications which Supervisor Aplin read, it was determined that only a Pre-Application had been approved which means the Towns have been "invited" to submit a formal application, answer to which will not be received before the first of next year. These communications were referred to Nelson Cook, Chairman of the Joint Recreation Committee.

The next item of business was the Town's application for BOR funds to develop the Palmyra Community Park. Supervisor Aplin reported that there is a slight change in the application. He gave a short resume' on the background of the BOR Application and he read some correspondence pertinent to the status of the application at this time. After considerable discussion, the following Resolution was unanimously carried by the Town Board with a vote of 4 ayes and no nos:

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

Paul Wilson of the Wayne County Planning Office is ready to re-submit application forms as soon as he gets the Resolution and the Supervisor's signature on the necessary papers.

Consolidation of Town & Village - Chairman Edwin Wheeler had nothing to report at this time other than the results of the Special Meeting concerning the East Water District.

Cemeteries - Supervisor Aplin reported on the work being done in the Town Cemeteries. Norman Smith, Ceta worker, has been getting the cemeteries trimmed and mowed. General discussion on cemeteries followed.

LETTER
FROM V. OF
PAL. CONT.

CONDITION
OF AGREEMENT

DISC. ON
E. WATER
DIST.

JT. REC.
COMM.

JOHN. DEV.
FUNDS

BOR FUNDS

RESOLUTION
TO RE-
SUBMIT
APPLICATION

CONSOLIDATION

CEMETERIES

MOTION TO
PLACE VETS
RECORDS IN
LIBRARY

Unfinished business - The Clerk read a letter from Town Historian Lorene Warner concerning her recommendations for the Veterans War Records. A motion was offered by Edwin Wheeler, seconded by David Lyon to accept the recommendations of Town Historian Lorene Warner to put the Veteran War Records in the Genealogy Section of the Palmyra Kings Daughters Free Library with the stipulation that the records should be returned to the Town of Palmyra if at any time the Genealogy Section of the library is discontinued. Motion passed with 4 ayes and no nos.

DISCUSSION
RE: TYPE OF
MATERIAL TO
BE USED IN
INSTALL. IN
EAST WATER
DISTRICT

At this time, Rev. Fred Parkison of the Assembly of God Church came before the Board to request information concerning the water service the Church will install. He stated that he had met with Town Water Superintendent Harold Kruger and he questioned the type of material he was told to use. His plumber suggested plastic but Mr. Kruger stated K copper must be used. He was also advised by Mr. Kruger to put the pipe 5 - 6 ft. in the ground and he questioned that also. The Board discussed the installation of water services in the East Water District and, considering that there is an informational letter to go out to the residents involved, the Board decided to check with Hershey - Malone Associates in regard to required materials, add the necessary information concerning type of material to be used and send the letters out immediately.

INFORMATIONAL
LETTER TO
BE SENT

MOTION TO
PAY BILLS

The motion to pay the bills as listed by funds on Abstract #5 was made by Bruce Wideman, seconded by David Lyon and passed with 4 ayes and no nos. Edwin Wheeler abstained on Voucher #179. The funds were shown on the Abstract as follows:

GENERAL FUND	VOUCHERS #178 - 194	\$14815.82
PART TOWN FUND	" # 30 - 31	22.07
HIGHWAY ITEM I	" # 10 - 14	4252.38
HIGHWAY ITEM III	" # 79 - 93	1498.18
FEDERAL REVENUE SHARING	" # 14 - 15	3399.50
TOTAL		<u>\$23987.95</u>

MOTION TO
ADJOURN

The motion to adjourn 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

SPECIAL MEETING - May 4, 1979

~~348~~
38 A

Special meeting of the Town Board of Palmyra was opened at 7:35 P.M. on Friday, May 4, 1979 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Roy Aplin. Present were Supervisor Aplin, Councilmen Edwin Wheeler, Bruce Wideman, Nelson Cook and David Lyon. Also attending the meeting were Village of Palmyra Trustee David Williamson, Town & Village Water Superintendent Harold Kruger, Town Engineers Tony Malone and Joe Pullen, and Ron Rudio from the New York State Department of Health from Geneva.

MEETING
OPENED

The purpose of the meeting was to discuss the problems existing on construction of the new East Water District.

The contractor recently started work on the project. In making the connection for the line at the start off point on Kent Street, which lies well within the Village of Palmyra, he was informed by the Village that they would not allow asbestos piping to be used for the project, and only steel would be acceptable. Discussion followed: Engineer Malone stated that costs for steel piping were somewhat higher and if it is installed would crimp the overall project cost whereby the component parts of the water meter vault would have to be eliminated. He further stated that in addition to asbestos pipe being more economical, it was sound and safe as far as installation, etc. is concerned. Both Engineer Malone and Ron Rudio assured the Board that it was safe, health-wise, and would not jeopardize the health of the users of the line. Trustee Williamson informed the Board that he would bring the economic and safety factors to the attention of the Village Board officials at their meeting of May 7, 1979 and immediately notify the Town Board of their decision on the matter. In the meantime, the contractor will start to work on another part of the line whereby the project is not halted.

DISCUSSION
RE: PROBLEMS
W/ CONSTRUCT-
ION OF WATER
LINE - EAST
WATER DIST.

Another matter coming before the Board was a request from Town Assessor Judson Roney to attend a seminar to be held from June 24, 1979 through June 29, 1979 at Cornell University in Ithaca, New York. Councilman Wideman moved that the assessor be allowed to attend this seminar, seconded by Councilman Lyon and unanimously carried.

MOTION TO
APPR. ASSESS.
ATTENDANCE AT
CONF. AT COR-
NELL

Councilman Wheeler moved that the Board adjourn, seconded by Councilman Wideman and unanimously carried.

MOTION TO
ADJOURN

Respectfully submitted,



Roy Aplin
Town Supervisor

May 24, 1979

39

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, May 24, 1979 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, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were Steve Jackson of the Courier-Journal and Mr. & Mrs. James Washburn.

MEETING
OPENED

The motion to dispense with the reading of and approve as submitted the minutes of a Special Meeting held on May 4, 1979 was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no nos.

MOTION TO
APPR. MIN.
OF SPEC.
MTG.

Communications - The following items of correspondence were presented to the Board for their review: (1) A letter from Automatic Voting Machine Corporation, Jones & Gifford Ave., Jamestown, N.Y. - Keith Spaulding, Vice Pres. in regard to Voting Machines, supplies and services (2) A letter from Fred Cusimano, Vice Pres. & Gen. Mgr., NE Automatic Voting Machine Corporation in regard to the purchase of Election Systems Division (3) Invitation from Wayne Sounding Board to attend the June 20th Wayne Sounding Board Forum, Wayne County Court House, Lyons, New York (4) A letter from James R. Hickey Post #120 American Legion concerning Memorial Day services (5) Notice from Wayne County Planning Board in regard to the purchasing of numerals for the Town numbering system (6) Notice from New York State Racing & Wagering Board in regard to Decentralization of Games of Chance Activities and the opening of the Rochester Office, Jack McCarthy, Regional Supervisor (7) Copy of a letter from Court Clerk Margaret Reithel to Town Justice William Abbott advising of her resignation, effective June 30, 1979 (8) Memorandum from the Department of State, Bob Hansen, Coastal Program Manager - summary of major changes to the Coastal Management Legislation in response to Public Hearings (9) Letter of Transmittal from Hershey Malone Associates to Bruce Wideman concerning specifications for piping for water services.

COMMUNI-
CATIONS

COMMITTEES

COMMITTEES

Zoning - Mr. & Mrs. James Washburn came before the Board at this time to discuss their application for a permit to place a trailer on property on North Creek Rd. while they build a new residence. Their Plot Plan has been approved by the Planning Board and the septic system is being installed. The Washburns have not as yet submitted their application for a Building Permit and they questioned the Board on the possibility of building the house around the trailer. After considerable discussion, the Board decided to defer any decision on this request until later in the meeting when the Town Attorney would be present and able to advise them.

WASHBURN
REQUEST

Complaints have been received concerning William Hood's Junkyard on Trolley Road and these were discussed and will be taken in consideration when the Board makes a decision concerning the granting of his license to operate the junkyard. Mr. Hood is presently operating the junkyard on probation until July 1st.

COMPLAINTS
RE: JUNK-
YARD

Bruce Wideman stated that he wished to compliment the person or persons who were responsible for the compiling of the Mobile Home Ordinance - the editing, typing, copying and assembling of the Ordinance.

MOBILE
HOME ORD.

The Clerk reported that a call had been received from the Wayne County Planning Office concerning Zoning Conferences for the Planning Boards and Zoning Boards tentatively set for June 18th & 19th. The County Office thought perhaps the Town Boards would like to attend the Planning Board Conference and wanted to make them aware of the possible dates.

Zon. Conf.
Pl. Bd. &
Zon. Bd.

ZONING CONT'D

Zoning Officer Francis Tools questioned the Board on what regulations the Town has to compel property owners to clean up following a fire. He also reported that there are 3 or 4 houses which have been started but not finished within the allotted time and he asked for some direction from the Board. This subject was discussed at length but no decision was made.

ASSESSMENT

Assessment - Chairman Bruce Wideman commented on the excellent annual report from Assessor Judson Roney and suggested some kind of official recognition be given to the Assessor. A motion was made by Edwin Wheeler, seconded by Bruce Wideman that Assessor Judson Roney be officially commended for his performance and type of report submitted. Motion passed with 4 ayes and no nos.

MOTION FOR OFFICIAL RECOGNITION TO J. RONEY

Town Councilman David Lyon joined the meeting at 8:25 P.M..

Mr. Wideman advised the Board of a request from Mr. Roney for a typewriter in the Assessor's Office. The Board considered this request and discussed at length the purchase of a machine. A motion was made by Edwin Wheeler to approve the purchase of a typewriter for the Assessor's Office. Motion was seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION TO APPR. PURCH. OF TYPEWR. FOR ASSESS.HIGHWAY

Highway - Chairman David Lyon stated that there was nothing to report at this meeting.

Town Attorney Paul Rubery joined the meeting at this time.

WATER

Water - Chairman Nelson Cook spoke to the Board in regard to the problem of type of material to be used for the water services in the East Water District. Mr. Cook was not present at the last meeting but was aware that a question had been raised concerning type of materials to be used. Bruce Wideman reported on the information he received from Hershey Malone Associates in regard to this issue.

EAST WATER DISTRICTDISC. ON MATERIALS & RULES & REGULATIONS

The Town Board, along with the Town Attorney, discussed the problem of what materials could be used and the up-dating of the Rules & Regulations for the Water Districts in the Town of Palmyra. Until the Rules & Regulations can be updated, published and accepted by the Town Board, the Board agreed to to with the recommendations of Hershey Malone Associates. A motion was made by Bruce Wideman, seconded by Edwin Wheeler to accept the specifications for Plastic Water Service as recommended by Hershey Malone Associates. Motion passed with 5 ayes and no nos.

MOTION TO ACCEPT H-M REC. FOR SPECS ON PLAS. PIPINGMASTER METER VAULT FOR N. WATER DIST.

Mr. Cook reported that he has contacted Hershey Malone in regard to determining the area for the Master Meter Vault for the North Water District. It is hoped that work can be started soon in order for the Vault to be installed before bad weather.

LANDFILLREPORT OF MTG. W/ MARION

Landfill - David Lyon reported on the meeting with the Town of Marion held Tuesday, May 22nd concerning the Proposed Transfer Station. The Town of Marion has received a commitment from the Lyons/Galen Landfill for the disposal of the refuse and has a possible site for a Transfer Station. Mr. Lyon stated that the Town of Marion would like a commitment from the Town of Palmyra for half of the costs involved in continuing with this project - getting an option on the land, Engineering fees, etc.. Mr. Wideman stated that he had received word that David Matthews of Hershey Malone expects to present the study on a Palmyra Transfer Station in the near future. The Board discussed the Proposed combined Transfer Station at length. Edwin Wheeler suggested that the Town of Marion should do the study as they have the immediate need for a way to dispose of their refuse - Palmyra does have time left at their Landfill. When the study is complete and they have a cost fact. they should then come to Palmyra to present the information from the investigation and at that time Palmyra can decide whether or not they will combine with the Town of Marion in a joint venture for a Transfer Station.

GEN. DISC. ON TRANSFER STATION

Joint Recreation Commission - Chairman Nelson Cook reported on the progress of the new building. 41
JT. REG.

Bruce Wideman reported that the Town of Palmyra has received notice that the CETA Project - Canal Restoration will be funded again this year.

Consolidation - Supervisor Aplin read a letter which he received from Dick Watson of Carlock, Inc. informing him that a decision in regard to the disposition of the Carlock Rod & Gun Club will be deferred for the present. CONSOLID.

At this time, the Board returned to the request of Mr. & Mrs. Washburn which was discussed earlier in the evening. The request to build a house around a trailer was referred to the Town Attorney who advised the Board that it was not allowed under Zoning regulations but the Board should ask the Washburns to submit an application for a Building Permit showing floor plans and specifications. Mr. Rubery also advised that the Board should have some commitment from the Washburns in regard to the time it would take to build the house. The Board will not make a decision until more specific information is received. WASHBURN
REQUEST

Supervisor Aplin spoke to the Board concerning the problem with the Voting Machine Custodians for the Town of Palmyra not being able to attend the School of Instruction at Lyons due to other commitments and the possibility of the resignation of the Custodians. The Board advised Mr. Aplin that if some arrangements can't be worked out and the Voting Machine Custodians do resign, other custodians will have to be appointed in time to attend the schooling. SCHOOL OF
INSTRUCT.
FOR VOT.
MACH. CUSTOD.

The motion to pay the bills as listed by funds on Abstract #5A was made by Bruce Wideman, seconded by David Lyon and passed with 5 ayes and no nos. The funds were shown on Abstract #5A as follows: MOTION TO
PAY BILLS

GENERAL FUND	VOUCHERS #195 - 207	\$12493.60
PART TOWN FUND	" # 32 - 35	619.52
HIGHWAY ITEM I	" # 15 - 18	12973.28
HIGHWAY ITEM III	" # 94 - 97	915.84
HIGHWAY ITEM IV	" # 33	8550.07
FEDERAL REVENUE SHARING	" # 16	38.65
NORTH WATER DISTRICT	" # 14	450.00
SOUTH WATER DISTRICT	" # 14	486.00
TOTAL		\$36526.96

The motion to adjourn was made by Nelson Cook, seconded by Edwin Wheeler and passed with 5 ayes and no nos. MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

June 14, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:35 P.M. on Thursday, June 14, 1979 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, Town Attorney Paul Rubery, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were Steve Jackson of the Courier-Journal and Mr. & Mrs. James Washburn.

MOTION TO
APPR. MIN.
OF 5/10 &
5/24

A motion was made by Bruce Wideman, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of May 10th and May 24th. Motion passed with 4 ayes and no nos.

COMMUNICA-
TIONS

Communications - The following items of correspondence were presented to the Board for their review: (1) A notice from the Department of Health advising of the expiration of the Health Officer's appointment as of June 12, 1979.

MOTION TO
APPT. DR.
ADAMS AS
HEALTH OFF.

A motion was made by David Lyon, seconded by Nelson Cook to approve the appointment of Dr. Morton Adams as Health Officer for 4 years - term will expire June 14, 1983. Motion passed with 4 ayes and no nos. (2) An Advisory Bulletin from the New York State Energy Office in regard to the Environmental Conservation Construction Code (3) a letter from Dale Marshall of the Voting Machine Service Center (4) a letter from the Palmyra-Macedon Central School advising the Town of School Board members elected at the annual meeting and the other members of the Board (5) a notice from the Wayne County Planning Office in regard to the time and place for the Zoning Conferences (6) a letter of resignation from Margaret Reithel.

COMMITTEESCommittees -ZONING
HOOD'S
JUNKYARD

Zoning - Zoning Officer Francis Toole reported that he had received more complaints about the burning at Hood's Junkyard on Trolley Road. The D.E.C. and local Game Warden Roger Yost have been alerted to the burning violation. Mr. Toole has also talked with neighbors who are upset over the removal of trees at the junkyard. The trees were a natural screening for the junkyard. At their next meeting, the Board will be reviewing Mr. Hood's permit to operate the junkyard.

COUNTRYMAN

Mr. Toole again reported on Mr. Countryman in East Palmyra and he presented pictures showing the conditions at that property. Mr. Countryman was in Town Court some time ago in regard to violating the Zoning Ordinance and at that time he was granted conditional discharge by the Court. He can now be issued a Notice of Violation due to the conditions that now exist.

AECKERLE
PLOT PLAN

The Zoning Officer spoke to the Board concerning an unstamped- non-professional Plot Plan which was presented by Ted Aeckerle to the Planning Board at their last meeting. Town Attorney Paul Rubery explained the reasoning behind this problem and why it was brought to the Town Board. The Planning Board has asked for approval from the Town Board to contact the Town Engineer in case some professional direction is needed in regard to these plans. A motion was made by Bruce Wideman, seconded by David Lyon to grant approval to the Planning Board for this request. Motion passed with 4 ayes and no nos.

MOTION TO
APPR PL. BD.
REQUEST TO
CONTACT TN.
ENGINEER

Town Councilman Edwin Wheeler joined the meeting at 8:00 P.M..

WASHBURN
REQUEST

Continuing under Zoning, Mr. & Mrs. Washburn came before the Board to discuss their request to build their house around a trailer. After considerable discussion, the Board advised the Washburns that their request was denied. However, the Board did act on their request to live in the trailer on the property while building the house. A motion was made by Edwin Wheeler, seconded by Nelson Cook to approve the application to place a trailer on property on North Creek

Road for a 6 months period to be used as a residence while constructing a home, subject to the Zoning Officer's approval of the house plans. Motion passed with 5 ayes and no nos.

MOTION TO
APPR. APPL.
(WASHBURN)

Chairman Bruce Wideman reported that the Planning Board is working on the revision of the Zoning Ordinance and sub-division code. Mr. Wideman suggested that some copies of the code from Macedon and Walworth might be of some help.

Mr. Rubery advised the Board that the Town of Palmyra Planning Board is not the lead agency in the SEQR review concerning the Town of Marion's permit to operate a gravel pit. The Department of Environmental Conservation took jurisdiction due to time limits involved.

DEC IS
LEAD AGEN-
CY-SEQR

Supervisor Aplin reported on some information in regard to maps which could be used for Zoning maps and how they could be printed.

ASSESSMENT

Assessment - Several questions concerning Grievance Day were referred to the Town Attorney.

Chairman Bruce Wideman read a copy of a letter sent by Judson Roney to Garlock, Inc. thanking them for the secretarial chair which was donated to the Assessor's Office.

SEC. CHAIR
FROM
GARLOCKS

Mr. Wideman also read a letter from Mr. Roney concerning the resignation of Margaret Reithel. A motion was made by Bruce Wideman, seconded by Edwin Wheeler that the Supervisor address a letter of thanks and commendation to Margaret Reithel. Motion passed with 5 ayes and no nos.

RESIGNATION
OF M. REITHEL
MOTION TO
SEND LET-
TER

Supervisor Aplin reported to the Board on some prices for typewriters - the Assessor's Office has requested a typewriter. Following some discussion, Edwin Wheeler and Bruce Wideman offered to work on this request.

The Clerk reminded the Board that Tuesday, June 19th is Grievance Day - the Board of Assessment Review will meet at the Masonic Temple.

Also under Assessment, the Board discussed a dog problem in East Palmyra, the need for some clerical help in the Assessor's Office and the question of some compensation for the members of the Board of Assessment Review.

Highway - Nothing to report at this time.

Landfill - Supervisor Aplin read a Notice of Violation from the Department of Environmental Conservation concerning refuse protruding through the cover. The notice also stated that the old site needed grading and seeding. This information was discussed by the Board.

LANDFILL
NOTICE OF
VIOLATION

Mr. Aplin also read portions of an article in a Rochester paper in regard to waste disposal in Wayne County. It was noted that David Matthews of Hershey-Malone Associates will speak to the Board tonight later in the meeting in regard to the Preliminary Study on a Transfer Station in Palmyra.

Joint Recreation Commission - On June 6th two hearings concerning the use of funds from the Community Development Grant were held in the Town Office, one at 4 P.M. - Paul Wilson of the Wayne County Planning Office was present and one at 7 P.M. - John Steele of the Planning Office attended. Supervisor Aplin reported on possible uses of the \$81,000 expected to be allocated for Palmyra and he advised the Board that he would be appointing a Citizens Advisory Committee consisting of 1 Town Board member and 2 people from the community. The Board had many questions concerning these funds and several were discussed at length, such as, when will the funds be given out, the criteria for eligibility and uses for the funds.

JOINT REC
COMM.
HEARINGS RE
COMM DEV.
FUNDS

Consolidation - Nothing to report at this meeting.

Larry Monroe, Director of Operations of the parent company of Wayne County Cablevision, Inc., Newark, New York - formerly Information Transfer, Inc., came before the Board at this time to explain the position his company is in concerning the furnishing of Cable TV to the Town of Palmyra as a result of the former company not following proper procedures in acquiring a franchise. Information

DISC. ON
CABLE TV

44
CONT'D
DISC. ON
CABLE TV

Transfer, Inc. was allowed to use the utility poles in the Town of Palmyra to bring Cable TV to the Village of Palmyra but was not granted a franchise by the Town of Palmyra because they couldn't furnish Cable TV to all the residents. Over the years some areas have been hooked up and now Wayne County Cablevision, Inc. wants to correct the situation and wants to be able to continue to give service to the people in the Town of Palmyra. Mr. Monroe indicated he needed a statement from the Town to send to the New York State Commission on TV. The Town Board along with Mr. Monroe and Town Attorney Paul Rubery discussed this situation at length. A motion was made by David Lyon, seconded by Nelson Cook granting authority to the Town Attorney to draft a letter to send to the New York State Commission on TV indicating the situation as it now stands and exploring the possibility of a franchise. Motion passed with 5 ayes and no nos.

MOTION TO
SEND LETTER
TO NYS. COMM
ON TV.

RESIGNATION
OF H. KRUGER

Water - Since the last Town Board meeting, the Town Board received the resignation of Harold Kruger, Town Water Superintendent, effective June 30, 1979. Mr. Kruger's resignation was discussed at length by the Board, as well as, the duties, responsibilities and salary of the Water Superintendent. Bruce Wideman suggested that a letter be sent to Mr. Kruger indicating that the Board feels he has done an excellent job and requesting that he re-consider and meet with the Board at 7:00 P.M. on June 28th. Chairman Nelson Cook will also talk with him.

LANDFILL

Landfill - David Matthews of Hershey-Malone Associates reported to the Board at this time on the Preliminary investigation in regard to a Transfer Station for the Town of Palmyra. He submitted a report in letter form citing approximate capital costs, yearly operation and maintenance charges, and the possibility of a 25% funding grant through D.E.C.'s Environmental Quality Bond Act. Alternatives were also mentioned. General discussion followed.

D. MATTHEWS
REPORT ON
TRANS. STA.

WATER

Water - Chairman Nelson Cook spoke briefly to the Board concerning the work he and the Town Attorney are doing on the revision of the Rules and Regulations for the Water Districts. Several points were discussed, in particular, changes which should be considered now that the Town is doing their own billing.

RULES & REG.
FOR WATER
DIST.

MASTER METER
VAULT FOR
NO. WATER
DIST.

The installation of the Master Meter vault for North Water District at Division Street was discussed. Nelson Cook reported that he expected the materials would be ordered before July 1st.

The Clerk advised the Board a Resolution was necessary for the disposition of some local records. The following Resolution was offered by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes and no nos:

RESOLUTION
FOR DISPOSITION
OF LOCAL
RECORDS

RESOLVED, by the Town Board of the Town of Palmyra that Town Clerk Betty Stubbings be, and hereby is authorized to dispose of record item numbers 59, 65, 68, 70, 124, 125, 126, 127, 128, 129, 130, 131, 134, 138-154, 159, 160, 162, 165, 166, 168, 169, 171, 173, 193, 194, 195, 198, 201, 202, 211, 213, 215, 216, 217, 220, 227, 229, 237, 240, 241, 242, 243, 246, 265, 266, 268, 273, 276, 278, 280, 282, 283, 284, 288, 289, 299, 301, 324, 325, 326, 333, 338, 348, 364, 386, 396, 397, 437, 450, 452, 453, 454, 455 on Local Records Disposition Request List Number 272-TG-14 issued pursuant to Part 185, Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, Regulations of the Commissioner of Education, and be it further RESOLVED, That the Clerk of this Board be, and hereby is, directed to furnish a certified copy of this Resolution to Town Clerk Betty Stubbings to be forwarded to the Commissioner of Education.

MOTION TO
PAY BILLS

The motion to pay the bills as listed on Abstract #6 was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos. Edwin Wheeler abstained on Voucher #217. The funds are shown on Abstract #6 as follows:

GENERAL FUND	Vouchers #217 - 251	\$ 1747.46
PART TOWN FUND	" # 38 - 42	295.77

HIGHWAY ITEM I	Vouchers # 20 - 25	\$10665.81
HIGHWAY ITEM III	" # 98 - 117	4483.12
HIGHWAY ITEM IV	" # 35	320.00
FEDERAL REVENUE SHARING FUND	" # 18 - 20	32.11
NORTH WATER DISTRICT	" # 19 - 20	3499.93
SOUTH WATER DISTRICT	" # 19 - 20	1997.95
EAST WATER DISTRICT	" #	44980.42
TOTAL		\$68022.57

MOTION TO
PAY BILLS
CONT'D

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

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

June 28, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:40 P.M. on Thursday, June 28, 1979 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Roy Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman, Edwin Wheeler and David Lyon, 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: Bernard Donegan, Tony Malone, Joe Pullen, Mrs. B. Hutter, Debbie Hutter, Mr. & Mrs. George Rumsey, Ted Jacobs & friend.

Two communications were presented to the Board, both of which were discussed under proper Committees.

COMMITTEESCOMMITTEES -ZONINGCOUNTRYMAN

Zoning- Zoning Officer Francis Toole came before the Town Board with some Zoning Violations. The first violation was Mr. Countryman of East Palmyra. Mr. Toole reported that conditions have not changed and Mr. Aplin reported that he has received complaints concerning this property. This violation was discussed at length by the Board and the Town Attorney advised what legal actions can be taken. The Zoning Officer was instructed to proceed with Cease & Desist actions.

JUNKYARDWM. HOOD'S
LICENSE

The next violation to be brought before the Board was the operation of Wm. Hood's Junkyard on Trolley Road. Mr. Hood was granted a 3 month probationary period at the time he applied for the renewal of his license. He was to correct all violations at the junkyard in that 3 months time and prove to the Town Board that he was willing to operate under conditions as set forth in the Town of Palmyra Zoning Ordinance and Junkyard Ordinance. Supervisor Aplin furnished the background on this violation and read a letter of complaint from a resident of the Trailer Park on Trolley Road. The Board listened to complaints of Mr. & Mrs. Rumsey and Ted Jacobs, also residents on Trolley Road, concerning burning, crushing cars, leaving cars along the road- pictures were available showing the conditions. Town Councilman Wheeler stated that as long as the Town Office had not received an application for renewal of the license, the license Mr. Hood now has will expire June 30, 1979 at midnight. Town Attorney Paul Rubery advised that the Town does not have to give notice to Mr. Hood, once he no longer has a license from the Town, he is in violation of the Zoning Ordinance, Junkyard Ordinance and is automatically in violation of State Regulations. People can then make complaints to the State Police and the State can take action. The Zoning Officer can issue a Cease & Desist order on Monday, July 2nd for operating without a license.

HUTTER
REQUEST

Next, under Zoning, the Town Board reviewed and discussed a request from Debbie Hutter to place a trailer as a temporary dwelling on property owned by her mother, Mrs. B. Hutter, Marion Road, Palmyra, New York. Bruce Wideman read Section 400 of the recently adopted re-viced Mobile Home Ordinance. This Section applies to Ms. Hutter's request and Mr. Wideman advised the Hutters of the procedures involved. Following considerable discussion with Supervisor Aplin asking if Social Services had been contacted and David Lyon suggesting that some possible alternatives be looked into, a motion was made by Bruce Wideman, seconded by Edwin Wheeler to grant a temporary permit to Debbie Hutter on the condition that the Zoning Officer check the site in regard to the 7 points of Section 400 (Special Necessity) of the Mobile Home Ordinance and report back to the Town Board. Following more discussion, a motion was made by Edwin Wheeler, seconded by Bruce Wideman to table a decision on this request until a full Board is present. Motion passed with 3 ayes and 1 no - David Lyon voting no.

MOTION TO
GRANT TEMP.
PERMITMOTION TO
TABLE DECISION

Under Assessment, a motion was made by Bruce Wideman that the Town Board go into Executive Session. Motion was seconded by Edwin Wheeler and passed with 4 ayes and no nos.

47
MOTION TO
HOLD EXEC.
SESSION

The meeting was re-opened at 8:40 P.M.. A motion was made by Bruce Wideman, seconded by Edwin Wheeler to grant the Supervisor authority to seek counsel on behalf of the Town of Palmyra should it be necessary to handle any cases brought before the Board of Assessment Review in regard to grievances involving property assessment. Motion passed with 4 ayes and no nos.

MEETING RE-
OPENED
MOTION TO
ALLOW SUPER-
TO SEEK
COUNSEL

Nelson Cook joined the meeting at 8:45 P.M..

Water - Town Engineer Tony Malone came before the Board at this time to give a progress report on the water line for the East Water District. Mr. Malone reported that the pipe line is in but the system is yet to be tested. The Master Meter Vault is not completed. In order to keep the costs down, the Town Engineer has had lengthy conversations with the Contractor in regard to the Master Meter Vault and he reported that a functional system can be installed and still keep within the cost range. Mr. Malone submitted a cost factor sheet to Board members to go along with his verbal report and he discussed along with the Board the fact that basics could be done on the Master Meter Vault - the rest can come later with Town forces. He stated that August is a possible completion date. Road crossings have yet to be patched and he spoke in regard to the Maintenance Bond which covers repair and restoration for 1 year.

WATER
TN. ENG.
REPORT ON
EAST WATER
DISTRICT

Also, in regard to the East Water District, Bernard Donegan, Financial Consultant, Victor, N.Y., reported to the Board concerning the financial aspect of the East Water District. He spoke in regard to the Bond issue, possible low interest loans (FHA funds) and an outside chance of some Grant funds. He has worked with the Town Bookkeeper in setting up a schedule for C.D.'s, dates for submitting vouchers, dates for payment of bills, etc.. Mr. Donegan assured the Board he was doing everything he possibly could to secure loans and/or grants to finance this Water District.

REPORT OF
B. DONEGAN
FIN. CONSULT

A letter from the Village of Palmyra in regard to Water Contract negotiations was read by Supervisor Aplin and referred to Committee.

W. CONTR.
W/VILLAGE

Supervisor Aplin also reported on a communication from Kershey Malone Associates concerning the Proposed Master Meter Vault for the North Water District.

M.M. VAULT
NO. WATER
DISTRICT

Supervisor Aplin questioned Water Chairman Nelson Cook in regard to a Contract with the Village for the East Water District and Mr. Cook responded that he has contacted Village Trustee Fred Alderman and will be meeting with him concerning the contract.

CONTR. FOR
E. WATER DIS

Zoning - The Board returned to the Hutter request with Bruce Wideman making the motion to bring the tabled motion back under discussion. Motion was seconded by Edwin Wheeler and passed with 4 ayes and 1 no - David Lyon voting no. The original motion was withdrawn by Bruce Wideman and the second was withdrawn by Edwin Wheeler. A motion was made by Bruce Wideman that the request by Debbie Hutter be approved and she be granted permission to utilize a trailer as spelled out in Section 400 of the Mobile Home Ordinance for a period not to exceed 1 (one) year. Mr. Wideman read Section 400 (Special Necessity) as interpreted in the Ordinance and stated that he felt the Planning Board and the Town Board passed this law allowing for special circumstances such as Ms. Hutter's request. Nelson Cook seconded the motion. Under discussion, Supervisor Aplin stated that he couldn't support this action as he feels there are other alternatives. The vote on the motion was as follows: Bruce Wideman and Nelson Cook voted aye, Roy Aplin voted no, and David Lyon and Edwin Wheeler abstained. The result of the vote was not immediately ascertained and the question of the vote was referred to the Town Attorney for research.

ZONING
MOTION TO
BRING TAB. MOT
ION BACK

ORIGINAL
MOTION
WITHDRAWN

NEW MOTION
TO GRANT
HUTTER RE-
QUEST

Highway - Town Highway Superintendent James DeBrine did not attend this meeting but

HIGHWAY

48
HIGHWAY
REPORT OF
J. DEBRINE

MOTION TO
PURCHASE
TIRES

LANDFILL
NOTICE OF
VIOLATIONS

LETTER FROM
D. ORBAKER
RE: TRANS. STA
PROPOSAL

DISCUSSION
ON VENTURE
W/ MARION

left a brief report which the Clerk read. This report covered (1) Progress of work at North Creek and Harris Road (Donovan Plan) (2) Teacher training course attended by Mr. DeBrine and Lyman Kaller in regard to Mine Safety & Health Act (3) Request for tire purchases and (4) Town Crew on vacation. A motion was made by David Lyon, seconded by Nelson Cook to grant approval for purchase of 4 - 100x22 tires, 4 - 1100x22 tubes and 4-1100x20 tubes. Motion passed with 5 ayes and no nos.

Landfill - Supervisor Aplin brought to the Board's attention that a Notice of Minor Violations at the Landfill site has been received.

Mr. Aplin then read a letter from Douglas Orbaker, Supervisor of Marion, dated June 22, 1979 in regard to the Transfer Station Proposal which the Town of Palmyra and Town of Marion have been discussing. Mr. Orbaker requested an answer by July 1, 1979. Considerable discussion followed with Edwin Wheeler referring to a news article concerning a possible County study on landfills, David Lyon stating that he has made every effort to promote cooperation on a venture with Marion which would cut costs in half for each Town, that the violations at our Landfill keep piling up and the Town has to face the waste disposal problem in the future and that he would like the Town of Palmyra to pursue the study with the Town of Marion. Nelson Cook also stated that the Town of Palmyra has to look to the future, not only for ourselves, but for our children and grandchildren. Supervisor Aplin stated that the Town of Palmyra is running a Sanitary Landfill and as far as the Town of Marion, he has never been given even the basics concerning the Transfer Station Proposal. Mr. Wheeler suggested that Supervisor Orbaker's letter be answered by July 1, 1979 asking for anticipated costs for investigating the project, he thought Palmyra needs the information before a decision can be made.

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

GARLOCK TO
RETAIN ROD &
GUN CLUB

Supervisor Aplin read a letter from Richard Watson, Colt Industries (Garlock, Inc.) advising the Town of Palmyra that the Garlock Rod & Gun Club will be retained by the Company to be used for a wider range of Company activities as well as for Civic programs that have taken place there in recent years.

E. WHEELER APP'T
TO ADV. COMM
COMM. DEV.
FUNDS.

Supervisor Aplin also appointed Edwin Wheeler as Town Board representative on the Advisory Committee for the Community Development Grant Fund. Two members from the community (Town) will complete the Committee.

CONSOLIDATION
RESOL. TO
COMMEND N.Y.
TEL. CO.

Consolidation of Town & Village - The following Resolution was offered by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos:

BE IT RESOLVED, that the New York Telephone Company be commended for finally increasing the local calling areas furnishing the people of Palmyra toll free service to Marion, Macedon and Newark.

RESOL. DISC.

The Board discussed briefly the Resolution in regard to surplus monies at the County level sent by the Town Board to the County Board of Supervisors.

RESOLUTION TO
APPR. TRANS
OF FUNDS

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

BE IT RESOLVED, that the following Transfers of Funds be approved:
From Contingent Account #A1990.4 to Deputy Town Clerk Account #A1410.2 - \$71.50, From Assessor's Contractual Expense Account #A1355.4 to Assessor's Equipment Account #A1355.2 - \$95.00, From Contractual Expense, North Water District #SW8320.4 to Employee's Benefits (SS) #SW9030.8 - \$8.29, From Contractual Expense, South Water District #SW8320.4 to Employee's Benefits (SS) #SW9030.8 - \$4.47

The Town Attorney questioned the Board in regard to a Contract with the Village of Palmyra for water for the East Water District.

Mr. Rubery also advised the Board that more research will be needed before he can submit an opinion on the Kutter request.

David Lyon brought to the Board's attention a dog problem in East Palmyra which has resulted in 2 calves being killed. On behalf of the owner of the calves, Mr. Lyon sought advice from the Board and the Town Attorney concerning the owner being compensated for the loss and what procedures to follow.

The motion to pay the bills as listed on Abstract # 6A was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos. The funds were shown on Abstract # 6A as follows:

GENERAL FUND	VOUCHERS #223 - 292	\$14868.27
PART TOWN FUND	" # 43 - 47	772.54
FEDERAL REVENUE SHARING	" # 21 - 23	1008.45
HIGHWAY ITEM I	" # 26 - 33	13381.14
HIGHWAY ITEM III	" #118 - 121	755.62
HIGHWAY ITEM IV	" # 36	240.00
NORTH WATER DISTRICT	" # 21 - 22	102.99
SOUTH WATER DISTRICT	" # 21 - 22	53.29
EAST WATER DISTRICT	" # 6	5.11
TOTAL		\$31187.41

The motion to adjourn this meeting was offered 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

July 12, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:40 P.M., Thursday, July 12, 1979 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, Nelson Cook and Edwin Wheeler, Assessor Judson Roney, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Board were: Wm. Hood, Steve Jackson of the Courier-Journal, and Gerald Griffin.

MOTION TO
APPR. MIN.
OF 6/14

The motion to dispense with the reading of and approve as submitted the minutes of June 14, 1979 was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 4 ayes and no nos.

COMMUNICA-
TIONS

The following communications were presented to the Board for their review (1) a letter from the Palmyra Canalton Days Committee (2) a letter from Arnold Pechler, Shilling Road - a Zoning request (3) Copy of a letter concerning the Cable TV matter.

COMMITTEESCommitteesZONINGCOUNTRYMAN

Zoning - Zoning Officer Francis Toole reported that Mr. Countryman of East Palmyra has now moved a trailer onto his property without authorization from the Town Board. Under the new Mobile Home Ordinance Mr. Countryman can replace a trailer which burned but must get permission from the Town Board and follow setback regulations. Supervisor Aplin stated that he has received several complaints concerning this property. Mr. Countryman is to appear in Town Court on July 16, 1979.

Chairman Bruce Wideman reported that the changes have been made on the Revision of the Zoning Ordinance and the Planning Board is studying this work copy.

WM. HOOD'S
JUNKYARD
LICENSE
DISCUSSED

At this time, Wm. Hood whose license to operate a junkyard on Trolley Road in the Town of Palmyra was not renewed after a 3 month probationary period, came before the Board to discuss the procedures to re-apply for a license. Mr. Hood stated that he was out of town at the time of the last meeting and couldn't appear but he questioned why his license was terminated following the probationary period. Bruce Wideman explained that after the 3 months probationary period, Mr. Hood as applicant did not indicate he wanted to continue by making application to the Town to renew his license and Mr. Hood replied that he must have misunderstood the correct procedures to follow. Considerable discussion followed with Town Board members questioning Mr. Hood on several points, such as - resolving problems with the neighbors, burning material in the yard, proper fencing, cars along the road, and offering suggestions for some good business practices which would help alleviate some of the problems. Mr. Hood stated that he had received no complaints from the State in regard to his Dis-mantlers and Dealers License and State Junkyard License - a Mr. Wm. Lowe is the State Inspector. Supervisor Aplin quoted from an article in the Palmyra paper and stated that he didn't think Mr. Hood's intentions were in good faith and speaking for himself he would not support Mr. Hood's request to renew his license. Mr. Hood indicated he would be in the Town Office in the morning to make application to renew his license.

Town Attorney Paul Rubery joined the meeting at 8:05 P.M.

ZONING CONT'DCOUNTRYMAN

The Board returned briefly to the problem of Mr. Countryman's trailer. Mr. Wideman checked the new Mobile Home Ordinance and Zoning Officer Toole was advised to talk with Mr. Countryman when he is in Court on July 16th and have him follow the necessary procedures for re-placing a pre-existing trailer.

The Town Attorney was asked to report to the Board on the latest developments with the Town of Marion's application to operate a gravel pit in the Town of Palmyra. Mr. Rubery stated that letters went out to Supervisor Orbaker and Town Highway Superintendent E. Moore expressing the concern of the Town Board in regard to violations to the Town of Palmyra Zoning Ordinance.

51
IN OF
MARION
GRAVEL
PIT
APPLICATION

The Board discussed a complaint concerning odors from Don East's dumping area Route 21. The Department of Health at Geneva as well as the Department of Environmental Conservation at Avon was contacted. Mr. Betts of the Avon Office reported that the area has been inspected in the past and found to be in compliance. He asked that any future complaints be made directly to him. A letter has gone out to the complainant advising of the actions taken by the Town and Mr. Betts' request. Bruce Wideman suggested that the Board should keep this kind of complaint in mind when they are working on the re-vision of the Zoning Ordinance.

COMPLAIN
REV DON
EAST'S
DUMPING
AREA

Bruce Wideman referred to Arnold Pechler's request and stated that the Board members could study this request and discuss it when there is a full Board present.

PECHLER'S
REQUEST

The Clerk advised the Board that William Clark's term on the Zoning Board of Appeals will expire in October 1979. Mr. Clark will be notified by letter and asked to let the Board know what his intentions are.

W. CLARK'S
TERM ON ZBA

Assessment - Assessor Judson Roney came before the Board at this time to report on and review with the Board, the following items of business (1) Mr. Roney expressed his thanks and appreciation for the letter sent by the Board on June 16, 1979 in regard to the work being done in the Assessor's Office (2) Reports- the Board members were given copies of the Assessor's State report concerning the Tax Roll, Section 1 and 6 (3) Mr. Roney reported on the meeting with John Stanwix and the Board of Assessment Review concerning the assessment of some Cleason properties (4) the Assessor reported that the Board of Assessment Review again did an excellent job on Grievance Day and the meetings which followed and Mr. Roney requested that the Board consider some compensation and presented vouchers for the Board's approval. A voucher was also presented for the use of the Masonic facilities on Grievance Day. Mr. Roney sent a letter of thanks to the Masons c/o Floyd Fisher (5) there was an unwritten but a gentlemen's agreement between the Town of Palmyra and Mr. Roney in regard to the Assessor's Office taking over the duties of the Zoning Officer and Building Inspector on January 1, 1980 when the present Zoning Officer Francis Toole retires. Mr. Roney informed the Board that he has been offered the position of Village Assessor and would like to be released from the commitment with the Town. Chairman Wideman stated this would be studied in Committee. Supervisor Aplin mentioned that the Village had been contacted in the past about the possibility of consolidating the Assessor's positions in the Village and Town. (6) Mr. Roney again reminded the Board of the need for some part-time secretarial assistance in the Assessor's Office. Judy McIntyre has been helping in the Assessor's Office since the last week in June on a temporary basis but will only be working in that capacity until August 15th.

ASSESSMENT
REPORT OF
J. RONEY

Supervisor Aplin reported on the recent developments concerning the Cable TV problem. A letter was sent to the New York State Commission on TV but no answer has been received as yet. Mr. Aplin brought to the Board's attention some correspondence in regard to Special Franchise taxes and exemptions he had received after contacting the County Treasurer's Office. After considerable deliberation, the Town Attorney advised sending a letter to the company stating that the Town of Palmyra has received no monies and requesting payments or copies of checks showing payment was made.

DISC. RE:
CABLE TV

Rev. Parkison of the Assembly of God Church and his plumber needed an inspection of the water line in order to back-fill. The Water Superintendent is on vacation but Bruce Wideman offered to do the inspection - he left the meeting at 9 P.M.

G. GRIFFIN -
DISC. WITH
BOARD RE:
CABLE TV

and returned at 9:15 P.M.

Gerald Griffin, a concerned citizen, came before the Board at this time to speak concerning Cable TV in Palmyra. He stated that it was his opinion that Cable TV in Palmyra should be handled by competitive bidding which might result in a better deal for the subscribers. He was particularly interested in People's Cable TV in Pittsford, N.Y. coming into Palmyra. Board members and the Town Attorney advised Mr. Griffin that People's Cable TV has not shown an interest in coming this way because the density is not sufficient to make it practical for them to run the lines. Mr. Rubery offered to make inquiries to other companies but informed Mr. Griffin that the Town of Palmyra cannot offer competitive bidding - the Town can only offer to negotiate with other companies.

H. RODMAN -
DISC. RE:
GAS ALLOC.

Harold Rodman, Jr., operator of an Exxon Service Station in Palmyra, approached the Board to discuss the serious situation both the Village and Town of Palmyra are in, due to stations not receiving their proper gas allocations. Both Mr. Rodman and Supervisor Aplin indicated that contacts at several levels of government have been made and some relief was received. Mr. Rodman informed the Board that as of July 12th the State Allocation Office has nothing more to do with gas allocations - County Coordinator Donald Walborn will allocate gas for Wayne County. The Board discussed this problem at length and after due deliberation, the following Resolution was offered by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no nos:

RESOLUTION
REQUESTS
GOV. AGENCIES
TO EXAMINE
PROBLEM

WHEREAS, there is an energy crisis and apparently no established pattern for dealing with the crisis, and

WHEREAS, the Town of Palmyra finds itself in a particularly crucial position because it will host the annual world renowned Mormon Pageant which attracts large numbers of visitors from all over the world in the month of July and thereafter in August it is the site of the annual Palmyra Wayne County Fair and in September the annual Canal Town Days celebration which events in total will attract in excess of 100,000 visitors to the area, and

WHEREAS, the Town of Palmyra has been informed by the operators of its gasoline stations that their allotments in the coming months are substantially reduced and they have an inadequate supply even for their own customers, and

WHEREAS, the Town of Palmyra is concerned for its residents and its visitors and has noticed that other areas and events where there is a large impact have recited that there is no problem with gasoline,

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Palmyra requests that the County of Wayne and its Civil Defense Coordinator, the State of New York and its Department of Energy, and Department of Commerce and its Executive Department and the Federal Government, examine the problem and take such steps as are necessary to resolve the problem and avert the disaster which could occur if gasoline supplies are inadequate to provide transportation home to the visitors to Palmyra, Wayne County and New York State.

WATER

Water - Town Attorney Paul Rubery advised the Board that in order to complete the requirements concerning the consolidation of the Water Districts, it would be necessary to advertise for a Public Hearing. The following Resolution was made by Nelson Cook, seconded by Edwin Wheeler and passed with 4 ayes and no nos:

RESOLUTION
ADV. FOR PUB.
HRG. FOR CONSOL.
OF WATER DIST.
NO. DIST. & SO.
DIST.

BE IT RESOLVED, that the Town Clerk shall cause to be published in the town newspaper a notice of a hearing not less than ten days prior to the hearing which will be held at the Town Clerk's Office on the 9th day of August 1979, at which time all interested persons will be heard on the proposed consolidation of the Johnson Road Water District and the Canandaigua Road Water District into a consolidated water district to be known as the South Water District and on the proposed Consolidation of the Maple Avenue Water District and the Division Street Water District into a consolidated water district to be known as the North Water District and that the residents of the proposed districts shall share the cost, operation, maintenance and improvements of said district on an ad valorem basis as will all future assessments.

Chairman Nelson Cook reported that the Master Meter Vault on Canandaigua Road for the South Water District is completely installed and is operating. The equipment is coming in for the Master Meter Vault for the North Water District.

The East Water District was discussed briefly. Mr. Rubery informed the Board that the line was pressure tested July 12th. 58
EAST W.
DIST.

Supervisor Aplin presented a letter from the Department of Health in regard to the approval of plans for the New Meter Pit on Division Street - North Water District. M.M.VAULT
NO.W.DIST.

Nelson Cook reported that he and Village Trustee Fred Alderman will be meeting next week on the Contract with the Village for water for the East Water District.

Landfill - Supervisor Roy Aplin stated there was nothing to report at this time. Nelson Cook questioned Mr. Aplin concerning the digging of another cell at the Landfill and wanted to know why the Town Board wasn't informed because of the amount of money to be expended for this work. This led to a brief but heated exchange of words between Supervisor Aplin and Councilman Cook. LANDFILL

Joint Recreation Commission - Nelson Cook stated there was no report on the Fund Drive at this time. There will be a meeting Monday, July 16th and he should have something to report after that meeting. JT.REC.COMM.

Consolidation - Supervisor Aplin turned some material concerning the Community Development Funds over to Edwin Wheeler who was appointed to the Advisory Committee by Supervisor Aplin. CONSOLIDATION
COMM.DEV.
FUNDS

Mr. Aplin also informed the Board that he had received the Annual Report from the Palmyra Fire Department if anyone wished to look it over. ANN.REPORT
PAL.FIRE DEPT.

The Supervisor informed the Board that the maps which will be used by the Planning Board to establish a Zoning Map for the Town of Palmyra have been received. Town Attorney Rubery, speaking for the Planning Board, asked if the County Planning Office could put the existing Zones on one of the maps. The Planning Board would then work from that, along with the description of the zones as filed with the Ordinance and the amendments made to the Zoning Map. DISCU RE:
ZON.MAPS

Edwin Wheeler reported that he had contacted John Steele of the Wayne County Planning Office in regard to the Advisory Committee for the Community Development Funds. Mr. Wheeler would like recommendations for qualified people to serve on the Committee - especially construction oriented. Supervisor Aplin has some material which he will turn over to Mr. Wheeler. DISC. ON
ADV. COMM.
COMM. DEV.
FUNDS

The Town Clerk referred to some material on the new dog law which has been given to each Board member and reminded the Board that an enumerator will have to be appointed in September. The Clerk also reported that Mr. Joseph Luppino, District Officer for the Department of Agriculture & Markets who will be available to help the Clerks in this District, stopped at the office and introduced himself and left material on the new Dog Law. DISC. RE:
MATERIAL
ON NEW
DOG LAW

The following Resolution was offered by Bruce Wideman, seconded by Edwin Wheeler and passed with 4 ayes and no nos: RESOL. ON
TRANS. OF
FUNDS

BE IT RESOLVED, that a transfer of funds in the amount of \$24.78 be approved, Highway Item IA Improvement Program, from Contractual Expense Account #DE5151.4 to Employees' Benefits (SS) Account #DE5151.8.

The motion to pay the bills as listed on Abstract #6B and #7 was made by Nelson Cook, seconded by Bruce Wideman and passed with 4 ayes and no nos - Edwin Wheeler abstaining on Voucher #295. The bills were listed on the Abstracts by Funds as follows: MOTION TO
PAY BILLS

GENERAL FUND	V. #293,294	\$1388.31	GENERAL FUND	V#295-321	\$4571.69
PART TOWN FUND	#48	50.42	PART TOWN FUND	#49-51	226.52
HIGHWAY ITEM I	#34,35	1284.50	FEDERAL REVENUE	#24	18.00
HIGHWAY ITEM IV	#37,38	309.80	HIGHWAY ITEM I	#36-37	3430.47
NORTH WATER DISTRICT	#23	8.29	HIGHWAY ITEM III	#122-131	856.63
SOUTH WATER DISTRICT	#23	4.	NORTH WATER DISTRICT	#24-26	1793.55
TOTAL		\$3045.79	SOUTH WATER DISTRICT	#24	1.68
			EAST WATER DISTRICT	#7,8	22816.45
			TOTAL		\$43714.99

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

Respectfully submitted,

Betty B. Stashenko
Betty B. Stashenko, Town Clerk

July 26, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:35 P.M., Thursday, July 26, 1979 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, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were: William Hood, Arnold & Thelma Pechler, and Harry Countryman.

MOTION TO
APPROVE MIN.
OF 6/28

A motion was made by Nelson Cook to dispense with the reading of and approve as submitted the minutes of June 28th. Motion was seconded by Edwin Wheeler and passed with 4 ayes and no nos.

COMMUNICATIONS

Communications - The following communications were presented to the Board - (1) Invitation from the Palmyra Fire Department to participate in their parade on August 25, 1979, (2) a Thank you from Sally Lynch, (3) Letter from the Town of Marion re: proposed Transfer Station.

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

COMMITTEES

Committees -

ZONING

Zoning - Mr. H. Countryman came before the Board at this time to discuss the replacement of a trailer which burned and present conditions of his property. Mr. Countryman has been in court re: zoning violations, has been cleaning up his property and has to appear before Town Justice H. White on July 30, 1979 to satisfy the Judge on the condition of his property. Following considerable discussion on the replacement of the trailer, a motion was made by Bruce Wideman, seconded by Nelson Cook that Mr. Countryman be allowed to place a trailer on his property (replacing a pre-existing trailer which burned) according to the rules and regulations of the Mobile Home Ordinance and the Zoning Ordinance of the Town of Palmyra with the work to be completed within six (6) weeks. Motion passed with 3 ayes and 1 no, Bruce Wideman, Edwin Wheeler and Nelson Cook voting aye, Roy Aplin voting no, and David Lyon abstaining.

H. COUNTRY-
MANMOTION TO
APPR. TRL.

Mr. William Hood approached the Town Board to discuss his application for the renewal of his license to operate a junkyard on Trolley Road in the Town of Palmyra. The Board members and Mr. Hood discussed the condition of the junkyard, what Mr. Hood has done to alleviate the problems and complaints. A motion was made by Nelson Cook, seconded by Bruce Wideman that Mr. Hood's application for renewal of his junkyard license, expiration date 4/1/1980 be approved. Motion passed with 4 ayes and 1 no - Roy Aplin voting no.

WM. HOODMOTION TO
APPR. LIC.
TO OPERATE
JUNKYARD

Town Attorney Rubery joined the meeting at 8:00 P.M.

COMPLAINT
RE: D. EAST

Zoning Officer Francis Toole and the Board members discussed the complaint concerning D. East's dumping area on Route 21. The complainant informed both Mr. Toole and Mr. Aplin that Mr. Betts at DEC in Avon couldn't be reached. Mr. Aplin reported that he sent a letter to Mr. Betts stating the facts in this complaint. The Town doesn't have jurisdiction in this case because Mr. East operates under a State Permit.

PECHLER
REQUEST

The next item of business under Zoning to come before the Board was the request of Arnold Pechler for approval from the Board to obtain a liquor license for his business, "Pechler's Trails," on Shilling Road. Mr. Pechler was granted permission in September 1977 to operate "Pechler's Trails" by Special Authorization of the Town Board. One of the conditions at that time was no alcoholic beverages will be sold on the premises. It was determined after checking with Town Attorney Paul Rubery that it will be necessary to hold a Public Hearing on this request. Following considerable discussion a motion

was made by Bruce Wideman, seconded by Nelson Cook, to advertise for a Public Hearing on Mr. Pechler's application to obtain a liquor license to be held Thursday, August 23, 1979 at 7:30 P.M. in the Town Office, Mr. Pechler to be billed for actual Publication costs. Motion passed with 5 ayes and no nos.

MOTION TO
ADV. PUB. HRG.

The clerk reported to the Board concerning the intentions of William Clark and his term on the Zoning Board of Appeals. Mr. Clark notified the Town Office that he is willing to accept another five (5) year term on the Zoning Board of Appeals but is not interested in continuing as Chairman of this Board. A motion was made by David Lyon, seconded by Edwin Wheeler, that William Clark be appointed to another five (5) year term as a member of the Zoning Board of Appeals - the Zoning Board of Appeals is to elect their own Chairman. Motion passed with 5 ayes and no nos.

MOTION TO
APPT. WM.
CLARK TO
TERM ON ZBA

The Board took under consideration a request from Mrs. Betty Briggs of the Zoning Board of Appeals to attend a Zoning Conference October 14 - 16th. A motion was made by Bruce Wideman, seconded by David Lyon, that Mrs. Betty Briggs be authorized to attend the Zoning Conference, October 14 - 16th, all actual and necessary expenses incurred for Registration, travel, meals, and lodging shall be a Town charge. Motion passed with 5 ayes and no nos.

MOTION TO
AUTHOR. B.
BRIGGS TO
ATTEND CONF.

Assessment - A motion was made by Bruce Wideman, seconded by David Lyon, that the Town Board go into executive session. Motion passed with 5 ayes and no nos.

MOTION TO
HOLD EXEC.
SESSION

The meeting reopened at 8:40 P.M.

MEETING RE-
OPENED

The need for some clerical help in the Assessor's Office was again discussed.

The vouchers presented by Mr. Roney for compensation to members of the Board of Assessment Review for their time spent on Grievance Day and meetings which followed were reviewed and discussed by the Board. A motion was made by David Lyon, seconded by Nelson Cook to approve payment of Vouchers #348-#352 as shown on Abstract #7A. Motion passed with 5 ayes and no nos.

MOTION TO
COMPENSATE
BD. OF ASSES
REVIEW

Continuing under Assessment, Town Attorney Paul Rubery was asked to speak to the Board on the latest developments concerning Cable TV in Palmyra. He reported that Larry Monroe of Wayne County Cablevision had talked with him at his office and he had talked on the telephone with Mr. Buckelew of the N.Y.S. Commission on Cable TV. Wayne County Cablevision has filed a petition with the N.Y.S. Commission on Cable TV to be considered at a September meeting. This petition includes the Towns of Arcadia, Calen, Palmyra and Lyons. Mr. Rubery was informed that there is no formal franchise with Palmyra and without that franchise, will not receive the 3% income. The franchise fee is 3% of gross income less any taxes. Mr. Buckelew agreed to send a list of companies within a 25 mile radius of the Town of Palmyra. The Town can then poll these companies to verify any interest they might have in supplying Palmyra with Cable TV. The Town will have to decide re: being a part of the petition now before the Commission. Wayne County Cablevision agrees with the poll of other companies. Mr. Rubery also discussed several other points with Mr. Monroe, such as - free cable TV for schools, firemen, etc., billing, notifying subscribers regarding what benefits they have.

DISCUSSION
CABLE TV

Highway - Town Highway Superintendent James DeBrine was not present but Chairman David Lyon reported that the crew 's working on the North Creek-Harris Road Project.

Supervisor Aplin reported that following the work which the Highway crew did on Calloway's Bridge, he sought some re-imbursement from the County

RE-IMB. FOR
BRIDGE WORK

and he at this time reported that the Town of Palmyra will be re-imburshed in the amount of \$1,079.69.

The condition of the bridge over Mud Creek on Hogback Hill Road was discussed briefly.

WATER
REPORT ON
EAST WATER
DIST.

Water - Chairman Nelson Cook reported that a leak was discovered in the line for the East Water District but it was expected that would be connected shortly and the master meter vault would be installed in the next two weeks.

M. M. VAULT
NO. WATER
DIST.

The equipment has been coming in for the master meter vault for the North Water District to be located at Division Street. The plans and prints for that vault have been forwarded to Albany for approval.

BILLING
PROBLEMS

Mr. Cook advised the Board of 2 water billing problems. One in the North Water District created during the transfer of property. The Town Attorney informed the Board that the owner of record is responsible but a letter has gone out to parties involved and if the bill isn't paid, it will be added to the taxes.

MOTION -
WATER USER
CAN ACCEPT
COMP. OR BE
BILLED IN
FULL

The other billing problem was in the South Water District and involved possible over billing. Chairman Cook discussed this matter with the Water Superintendent and the inside and outside meters were checked. Mr. Cook talked with the resident and agreed to "write-off" the June Water Bill. Mr. Cook came to the Board for some direction because the resident was still objecting to the change. A motion was made by Bruce Wideman, seconded by David Lyon, that the resident should be notified that the compromise can be accepted or he can be billed in full for the June Water Bill. A part of the discussion was the fact that both the inside and outside meters at this residence will be checked for the next couple of readings. Motion passed with 5 ayes and no nos.

REPORT THAT
TOWN HAS
REC'D LOAN
& GRANT

Chairman Nelson Cook reported that he will be meeting with Village Trustee Fred Alderman and Water Superintendent Harold Kruger regarding the water contract for the East Water District.

RESOLUTION
ACCEPTING
LOAN & GRANT

Supervisor Aplin reported to the Town Board that Bernard Donegan's office has informed him that the Town of Palmyra has been approved for a \$75,000 loan at 5% and a Federal Grant in the amount of \$50,000. The first procedure for the Town after being notified is to adopt a resolution accepting the loan and grant. The following Resolution was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos.

WHEREAS, the Town Board of the Town of Palmyra, on behalf of the East Water District, has applied to the U.S. Department of Agriculture, Farmers Home Administration, for a loan and a grant to provide potable public water to a portion of the Town of Palmyra, and

WHEREAS, the Town Board of the Town of Palmyra has been informed that they will be awarded a grant of \$50,000 and a loan of \$75,000 with interest at five per cent (5%) to pay for the capital improvements in the East Water District;

NOW, THEREFORE, be it resolved that the Town Board of the Town of Palmyra, on behalf of the East Water District, does hereby gratefully accept the aforesaid loan of \$75,000 with interest at 5% and a grant in the amount of \$50,000 for a total of \$125,000 with the understanding that if any portion of the grant is not necessary for the district, the balance will be returned to Farmers Home Administration.

David Lyon posed a question concerning the final clean up and road repair in the East Water District.

Supervisor Aplin informed the Board of a notification regarding a conference on operator certification Geneva District - Public Water Supply.

Landfill - no report

Cemetery - no report

Joint Recreation Committee - Chairman Nelson Cook had nothing to report.

A report on the Fund Drive will be in the Palmyra Courier-Journal.

The Supervisor informed the Board there will be a Supervisor's Conference at the Concord on September 9 - 12th which he might attend. A motion was made by Bruce Wideman, seconded by Nelson Cook that the Supervisor be authorized to attend the conference September 9-12th at the Concord, all actual and necessary expenses incurred for registration, travel, meals and lodging shall be a Town charge. Motion passed with 4 ayes and no nos - Roy Aplin abstained.

MOTION TO
AUTHOR. SUPER.
TO ATTEND CONF.

The motion to pay the bills as listed on Abstract #7A was made by Bruce Wideman, seconded by Nelson Cook, and passed with 5 ayes and no nos.

MOTION TO
PAY BILLS

The funds were shown on Abstract #7A as follows:

GENERAL FUND	VOUCHER #322-352	\$ 8,095.77
PART TOWN FUND	# 52	30.00
FEDERAL REVENUE SHARING		
HIGHWAY ITEM I & IA	#38-39	3,745.75
HIGHWAY ITEM II		
HIGHWAY ITEM III	#132-134	830.76
HIGHWAY ITEM IV	#39	320.00
NORTH WATER DISTRICT	#27-28	656.08
SOUTH WATER DISTRICT		
EAST WATER DISTRICT		
TOTAL		\$13,687.35

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

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

August 9, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:35 P.M. on Thursday, August 9, 1979 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, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Steve Jackson of the Courier-Journal was also present.

PUBLIC
HEARING
RE: PROP.
CONSOLID.
OF WATER
DISTRICTS

The Public Hearing scheduled for 7:30 P.M. on (1) the proposed consolidation of the Johnson Road Water District and the Canandaigua Road Water District into a consolidated district to be known as the South Water District and (2) the proposed consolidation of the Maple Avenue Water District and the Division Street Water District into a consolidated Water district to be known as the North Water District, was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. No one appeared to speak in favor of or opposed to the consolidation of these Water Districts. The hearing was declared closed by Supervisor Aplin.

HEARING
CLOSED

MOTION TO APPR. A motion was made by Bruce Wideman, seconded by David Lyon to dispense with the reading of and approve as submitted the minutes of July 12th. Motion passed with 4 ayes and no nos.

COMMUNICA-
TIONS

Communications - the following communications were presented to the Board: (1) Memos concerning Local Voter Registration and Election (2) Information on the New York State Fire Prevention Code - this was referred to Bruce Wideman for study (3) Information concerning courses for Local Officials through Local Government Institute.

COMMITTEES

Committees -

ZONING

Zoning - Zoning Officer Francis Toole reported that he had been having only routine complaints to take care of. One complaint was concerning a new residence being started before the Building Permit has been issued. Conditional approval has been granted in this case but not Final Approval.

ASSESSMENT
LETTER FROM
J. RONEY RE:
WORK & HRS.
IN ASSESS.
OFFICE

Assessment - The Board discussed a letter from Judson Roney which outlined the functions and work involved in the Assessor's Office, stating hours required to operate the office and do the field work. The letter also indicated the need for clerical help and outlined that work with possible number of hours involved. Supervisor Aplin stated there were very few applicants under the CETA Program with the abilities to do the work. The Board discussed advertising for some part-time clerical help. Bruce Wideman will advise Mr. Roney to advertise for part-time clerical help.

DISC. RE:
PROP. LINES-
IN. & CO.

Chairman Bruce Wideman alerted the Board to a problem with property lines in 2 different areas in the Town of Palmyra, both areas involve Town lines and possibly County lines. The Assessor checked with Harnish & Lookup for a cost of a survey and was given an estimate of \$2000. There are several properties paying taxes to the Town of Arcadia and Town of Manchester and there are good indications that these properties should possibly be paying to the Town of Palmyra. Following considerable discussion, the Board decided to have Bruce Wideman advise Mr. Roney to do more checking, to contact the Assessor in the Town of Arcadia and ask if the Town of Arcadia would share in the cost of a survey. The possibility of checking with the County Planning Office was also discussed, considering that County lines are also involved.

REPORT ON
CABLE TV

Supervisor Aplin reported concerning the Cable TV problem. He advised the Board that several certified letters were sent to Cable TV companies in the surrounding area to inquire about any interest in furnishing Cable TV to the Town of Palmyra. Two responses have been received and both have indicated no

AFFIDAVIT OF PUBLICATION

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

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

July 27, 1979

Rosalie J. Morton
Foreman of the Publisher

Subscribed and sworn to before me

this 7 day of August 1979

Notary Public

2011

•

no interest at this time.

Returning briefly to Zoning, Mr. Toole reported that he had received complaints about the condition of a lot on Meadow Drive. The Supervisor will check with the Town Attorney but expects to send a letter to the owner advising him that if he doesn't clean up the property, the Town will have the work done and charge it on the property taxes.

ZONING
COMPLAINT
RE: COND.
OF PROP.

The Clerk advised the Board that the necessary papers for applying for a permit to operate a trailer park in the Town of Palmyra have been sent to the reputed new owner of Valley View Trailer Park on South TownLine Road.

Highway - Town Highway Superintendent James DeBrine did not attend the meeting but Chairman David Lyon reported that the work at North Creek Road and Harris Road is completed until the County's work is done. The Board discussed this project briefly.

HIGHWAY

Landfill - Supervisor Aplin reported in regard to a Notice of Violations at the Sanitary Landfill. David Lyon questioned how the Town was going to resolve the problem of disposing of material which is difficult to handle - for example, material from a building being taken down. This type of material fills up the cells too quickly and the Department of Environmental Conservation doesn't allow any burning. Providing a special area in the Town of Palmyra was discussed as well as possibilities in other areas, such as a site in Macedon.

LANDFILL

Water - At the July 26th Town Board meeting, Supervisor Aplin reported that the Town of Palmyra had received word that the Town has been approved for a \$75,000 loan and a \$50,000 grant from the East Water District and at that time, the Town adopted a Resolution accepting the loan and grant. Town Engineer Tony Malone came before the Board at this time to present a summary of unfinished projects and the estimated figures for these projects. The summary included completion of the Meter Vault, Water services, water meters, Financial Advisory and Grants acquisition, additional Engineering/Administrative services, 1st year interest costs and Contingency factor.

WATER
EAST WATER
DISTRICT
DISC. ON
LOAN &
GRANT
REPORT OF
T. MALONE

At 8:20 P.M. Town Attorney Paul Rubery joined the meeting.

Discussion followed and Mr. Rubery was asked to comment on exploying the question of increasing the maximum amount for the East Water District from \$94,000 to \$125,000. The question of availability of water by September 1st for users in the new district was raised.

A motion was made by Nelson Cook, seconded by Bruce Wideman to authorize Hershey Malone Associates to complete the contract (installation of the Meter vault) and to prepare the necessary documents for the contract for installing the water services. Under discussion, Supervisor Aplin raised a question concerning the approval of Department of Audit & Control to increase the maximum amount from \$94,000 to \$125,000 and the need of a contract with the Village for water for the East Water District. Motion passed with 4 ayes and no nos.

MOTION TO
AUTHOR. TN.
ENG. TO
COMP. CONTR.
& PREPARE
DOCUMENTS

The consolidations of Water Districts, subject of the Public Hearing earlier in the meeting were the next item of business.

CONSOLID.
OF WATER
DIST.

The attached Resolution approving the consolidation of the Maple Avenue and the Division Street Water Districts into the North Water District was offered by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos.

RESOL. TO
APPR. CON.
NO. W. DIST.

The attached Resolution approving the consolidation of the Johnson Road and the Canandaigua Road Water Districts into the South Water District was offered by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos.

RESOL. TO
APPR. CON.
SO. W. DIST.

Joint Recreation Commission - Nelson Cook reported on the progress of the new Palmyra Community Center building.

Supervisor Aplin referred a letter from the Office of Parks and Recreation to Nelson Cook. This letter concerned the application for BOR Funds - Palmyra Commu-

ity Park.

Consolidation of Town & Village - No report

Cemeteries - Supervisor Aplin reported that a new fence has been installed at East Palmyra Cemetery.

Unfinished Business -

DISC. CONC.
PROP. FOR
V. BARNS

Nelson Cook reported that he had been contacted by the Village concerning some Town property for re-location of the Village Barns. The property was surveyed in 1973 and the Board reviewed a map of the survey. Mr. Cook offered a motion that the Town of Palmyra enter into a Contract with the Village of Palmyra for lease of this property for \$1.00 a year. Objections were raised about proceeding with a contract before studying this further. Town Attorney Paul Rubery gave some background and offered to check his files for any information and will work with the Committee to determine the feasibility of entering into a contract. Mr. Wideman stated that he would like to be involved with this project. Mr. Cook withdrew his motion and the request from the Village was referred to Committee.

MOTION TO
ADV. FOR
DOG. ENUM.

The Clerk advised the Board of the need of a motion to advertise for a Dog Enumerator. A motion was made by David Lyon, seconded by Bruce Wideman approving the advertising for the position of Dog Enumerator for the Town of Palmyra for the 1979 Dog Census. Motion passed with 4 ayes and no nos.

DISC. RE:
VOT. MACH.

Supervisor Aplin informed the Board that he has received the Contract for the new Voting Machine, and amount was budgeted for this item. David Lyon requested that the Town first investigate the conditions of the present Voting Machines to determine the need for a new machine this year. Mr. Aplin will check with the Voting Machine Custodians in regard to this matter.

Mr. Rubery was questioned concerning an answer to the Hutter request to place a trailer on property on Marion Road. He replied that the inquiry to Albany has been acknowledged but he is still waiting for an answer.

MOTION TO
GRANT AUTHOR.
TO T.N. ATT.
TO DEFEND
ACTIONS

Town Attorney Paul Rubery advised the Board that the Town is involved with some litigations under Section 722 of the Real Property Tax Law and he needs authority from the Board to defend the actions. A motion was made by Bruce Wideman, seconded by David Lyon to grant authority to the Town Attorney to defend the actions brought against the Town of Palmyra under Section 722 of the Real Property Tax Law. Motion passed with 4 ayes and no nos.

Supervisor Aplin informed the Board that some transfer of funds are necessary.

MOTION TO
APPR. TRANS.
OF FUNDS

A motion was made by Bruce Wideman, seconded by David Lyon to approve the following transfer of funds:

Transfer of \$63.89 from Contingency Acct. #A1990.4 to Deputy Town Clerk Acct. #A1410.2
Transfer of \$1249.00 from Contingency Acct. #A1990.4 to Unallocated Insurance Acct. #A1910.4

Motion passed with 4 ayes and no nos.

MOTION TO
APPR. TRANS.
OF FUNDS

A motion was made by Bruce Wideman, seconded by Nelson Cook to approve the transfer of \$.02 from Contractual Expenses Acct. #DE5151.4 to Personal Services Acct. #DE5151.1 (Highway Item I). Motion passed with 4 ayes and no nos.

MOTION TO
PAY BILLS

A motion was made by Bruce Wideman, seconded by Nelson Cook to pay the bills as listed on Abstract #8. Motion passed with 4 ayes and no nos. The funds were listed as follows:

GENERAL FUND	VOUCHEA	#51-383	\$ 2462.46
PART TOWN FUND	"	# 54- 57	275.20
FEDERAL REVENUE SHARING	"	# 26	3721.00
HIGHWAY ITEM I	"	# 40- 42	4250.78
HIGHWAY ITEM III	"	#135-146	1134.41
HIGHWAY ITEM IV	"	# 40	288.00
EAST WATER DISTRICT	"	# 9	1500.30
TOTAL			\$13632.15

61

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

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

SPECIAL MEETING

August 15, 1979

A Special Meeting of the Town Board of the Town of Palmyra was opened at 7:05 P.M. on Wednesday, August 15, 1979 in the Town Office, 204 East Main Street Palmyra, New York by Supervisor Aplin with the following Town Officers present: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Nelson Cook and David Lyon, Town Attorney Paul Rubery, Town Engineer Tony Malone, Town Highway Superintendent James DeBrine and Town Clerk Betty Stubbings.

MEETING OPENED

East Water District - Town Attorney Paul Rubery spoke to the Board in regard to the requirements needed to increase the maximum amount from \$94,000 to \$125,000 to be expended for the East Water District. Town Engineer Tony Malone also spoke to the Board and presented an Engineer's Report which included information to go along with the Town's necessary paper work to the Department of Audit & Control.

EAST WATER DISTRICT

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

RESOLUTION
TO INCREASE
MAX. AMT. TO
\$125,000
AND TERM TO
40 YEARS

ORDER OF THE TOWN BOARD OF THE TOWN OF PALMYRA

WHEREAS, the Town Board of the Town of Palmyra acting as a Board of Commissioners for the East Water District of the Town of Palmyra, and
WHEREAS, the Town Board has received word that they have become eligible for a loan of \$75,000 and a grant of \$50,000 for a total amount of \$125,000, and
WHEREAS, there are certain items of work which are necessary for completion of the project, and
WHEREAS, the Town Board has reviewed the project and feels that, pursuant to Statute, the maximum cost of the project should be raised from \$94,000 so long as the increase does not increase the cost to the taxpayers of the District, pursuant to Section 209h of the Town Law of the State of New York
NOW THEREFORE, BE IT RESOLVED, that the Town Board shall submit to the Office of the State Comptroller an application to increase the maximum amount to be expended in the East Water District for improvements from \$94,000 to \$125,000 subject to the approval of the Comptroller of the State of New York and a public hearing and a finding by the Town Board that it is in the public interest and subject to a permissive referendum pursuant to Article 7 of the Town Law.
AND, BE IT FURTHER RESOLVED, that the term of the loan be increased to 40 years to accommodate the Farm Home Administration's Rules and Regulations, and the Supervisor be authorized to execute the necessary papers for the application.

The Board then discussed a contract with the Village of Palmyra for water for the East Water District and it was decided to have the Town Attorney draft a letter to be sent to the Village.

DISC. RE:
CONTR. W/V.

There was also discussion as to when water will be available in the East Water District - requests are coming in from residents in the District.

Town Highway Superintendent James DeBrine reported to the Board concerning the Harris Road re-location which was due to the change in the intersection of Harris Road and North Creek Road. Mr. DeBrine stated that the Town's work is at a standstill because the County hasn't started their work. He also discussed with the Board ways to solve the problem of access to the Clark property and the Hand property (Harris Road). The people involved have indicated to Mr. DeBrine where they want the driveways. Town Attorney Rubery advised that a letter should go out to resolve the question of access - then Mr. DeBrine can get the necessary work done.

DISC. W/
J. DEBRINE
RE: HARRIS
& NO. CREEK

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

Respectfully submitted,

Betty B. Stubbings

MOTION TO ADJOURN

August 23, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. on Thursday, August 23, 1979 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, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Board were: E. Yusko, Pauline Nearing, Donald & Deanna Byrnes, Richard & Patricia Pratt, Arnold & Thelma Pechler and Richard Wagner.

PUBLIC
HEARING
OPENED
(PECHLER)

The Public Hearing scheduled for 7:30 P.M., Thursday, August 23, 1979 to consider the application of Arnold Pechler for Special Authorization to obtain a liquor license for "Pechler's Trails" was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. Supervisor Aplin asked if there was anyone who wished to speak in favor of or opposed to this application. Mr. Emerick Yusko of Shilling Road presented and read a Petition in opposition to Mr. Pechler's request. Mr. Yusko also read and presented a written statement outlining his own views. Following Mr. Yusko, others who spoke in regard to this application were: Pauline Nearing, Donald & Deanna Byrnes, Arnold & Thelma Pechler as well as the Board members. The recommendations from the Planning Board were read by the Clerk and the hearing was declared closed by Supervisor Aplin. A complete transcript of the public hearing is filed with the Pechler application.

HEARING
CLOSEDMOTION TO
TABLE DEC.
TO 9/27

A motion was made by Bruce Wideman, seconded by Edwin Wheeler, that the decision concerning Arnold Pechler's request for Special Authorization be tabled until September 27th (providing a full Board is present) with each Board member receiving a complete record of the Pechler request, including a transcript of the Public Hearing. Motion passed with a vote of 4 ayes and no noes.

MOTION TO
APPROVE
MIN. OF
7/26

A motion was made by Edwin Wheeler, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of July 26th. Motion passed with 4 ayes and no noes.

COMMUNICATIONS
MOTION TO
APPR. ROSTER
OF E. PAL.
FIREFMEN

The following communications were presented to the Board for their review:

MOTION -
LETTER FROM
FHA RECD &
FILED

(1) The Roster of active firemen for the East Palmyra Fire Department. A motion was made by Bruce Wideman, seconded by Edwin Wheeler to approve the Roster as submitted. Motion passed with 4 ayes and no noes.

(2) A letter from Karen Hanson, State Director - Farm Home Administration, U.S. Department of Agriculture, Syracuse Office announcing that the loan of \$75,000 and the grant of \$50,000 was approved by the Farm Home Administration for the Town of Palmyra. A motion was made by Edwin Wheeler, seconded by Nelson Cook that this communication was received, read and filed. Motion passed with 4 ayes and no noes.

(3) A copy of a letter from Paul Rubery to Wm. McCall in regard to the vandalism at the old Garlock spring on Division Street.

(4) A letter from U.S. Senator Jacob Javits concerning the current gas situation and it's related problems.

(5) A letter from Lon Smith, Department of Energy, Washington, D.C. replying to a letter from Supervisor Aplin to President Carter in regard to problems encountered by service stations operators in the Palmyra area. Discussion followed on the communications received concerning the gas situation and related problems.

COMMITTEES

Zoning - Zoning Officer Francis Toole stated that he has been handling routine matters.

Town Attorney Paul Rubery reported that he had been contacted by Mr. Alloco's

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, ss:
County of Wayne,

TOWN OF PALMYRA
NOTICE OF PUBLIC
HEARING
NOTICE IS HEREBY
GIVEN that a public hearing
will be held by the Town
Board of the Town of
Palmyra, at 7:30 p.m. on
Thursday, August 23, 1979,
at the Town Office, 204 East
Main Street, Palmyra, New
York, for the purpose of
hearing the application of
Arnold Palmer, Jr. for a
Special Authorization to
expand the existing
recreational trail facility,
PECKER'S TRAILS, to sell
alcoholic beverages.
The premises are
located in an Agricultural
Zone and are bounded on
the East by Shilling Road
on the North by Land of
Palmyra, Inc.

Under the Town of
Palmyra Zoning Ordinance,
Article III, Section 3.2,
Paragraph B, Agricultural
Zone, states: "use of land
other than for Farm pur-
poses requires Special
Authorization from the
Town Board." Special
Authorization is subject to
Article VII, Section 1 of
the Zoning Ordinance.
The Town Board will
at its meeting place in
the Town Office, 204 East
Main Street, Palmyra, New
York, on Thursday, August
23, 1979, at 7:30 p.m.,
hear the application of
Arnold Palmer, Jr. for a
Special Authorization to
expand the existing
recreational trail facility,
PECKER'S TRAILS, to sell
alcoholic beverages.
BARRY B. STUBBS,
Town Clerk

(250) A-10

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

.....August 10, 1979.....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 10 day of Aug, 1979.

Michael J. Donarum
Notary Public

Fee: \$ 17.96

WATKINS

81

attorney in regard to information needed to accompany the application for a permit to operate the Valley View Trailer Park. Mr. Rubery advised that the Board required maps showing Trailer sites, existing trailers, septic systems and water supply.

63
ALLOGO
APPLIC. FOR
TRL. PARK

The Clerk stated that the Town Office had received a call from Paul Kehoe's Office concerning the Washburn request to build a house around a trailer. Supervisor Aplin said he had also been contacted on this matter.

Assessment - The Town Attorney advised the Board that the Town has been served by New York Telephone Company in regard to Property Assessment again this year along with the other Towns in the County. In the past, Mr. Fox represented the Towns in a consolidated action. This matter was discussed by the Board.

ASSESSMENT

N.Y. TEL

Continuing under Assessment, Bruce Wideman reported that the Assessor had submitted a detailed report on the property involved with the Palmyra/Manchester Town Line and the Palmyra/Arcadia Town Line. Mr. Wideman requested that each Board member be given a copy of the report to study and decide if an amount should be considered in the Budget for a survey of the lines. There is a potential increase in Assessment of \$100,000.

REPORT RE:

PROP. ALONG
TOWN LINES

A motion was made by Bruce Wideman, seconded by Nelson Cook to go into Executive session to discuss a matter under Assessment - the Town Attorney was requested to stay. Motion passed with 4 ayes and no noes.

MOTION TO
HOLD EXEC.
SESSION

The meeting was re-opened by Supervisor Aplin.

A motion was made by Edwin Wheeler, seconded by Nelson Cook that the Town of Palmyra retain a Real Estate Consultant at the discretion of the Town Assessor and the Town Attorney. Motion passed with 4 ayes and no noes.

MOTION TO
RETAIN R.E.
CONSULTANT

Another item under Assessment discussed by the Board was the hiring of part-time secretarial help for the Assessor's Office. Chairman Wideman reported that many applicants have been interviewed and Mr. Roney is ready to hire someone to start Monday, August 27th. Discussion continued in regard to what monies are available, number of hours required, what employee benefits will be offered, if any. A motion was made by Nelson Cook, seconded by Edwin Wheeler to table the decision to hire part-time help for the Assessor's Office until September 13th in order for the Board members to review Mr. Roney's letter, research the employee benefits and to check on what monies are available. Motion passed with 4 ayes and no noes.

DISC. RE:
SEC. HELP
FOR ASSESS.
OFFICE

MOTION TO
TABLE DEC.
UNTIL 9/13

Mr. Wideman also reported that a typewriter was purchased for the Assessor's Office.

Highway - Town Highway Superintendent James DeBrine reported that he had received a call from Water Superintendent Harold Kruger concerning the installation of the Master Meter Vault on Division Street for the North Water District. He questioned the timetable on this project as he has work scheduled and had not been previously informed of this vault work. Mr. DeBrine will check with the Water Superintendent in regard to this project.

HIGHWAY

MFM. VAULT
INSTALL.

DIV. ST.

A check has been received from the County - partial reimbursement for some work on Galloway's Bridge. A motion was made by Edwin Wheeler, seconded by Nelson Cook to deposit the check in the Bridge Fund - Highway Item II. Motion passed with 4 ayes and no noes.

MOTION TO
DEP. CHECK
FR. CO. IN
BRIDGE FUN

The Highway Superintendent advised the Board that he was requested to send the correspondence concerning the Galloway Bridge repair to the Department of Transportation.

Landfill - Supervisor Aplin reported to the Board in regard to a Notice of Violation from the Department of Environmental Conservation following a regular inspection of the Landfill. The Board discussed the Violations the Town of Palmyra has been receiving concerning the Landfill operation. Supervisor Aplin stated that he is satisfied.

LANDFILL

LANDFILL
CONT'DDISC. RE:
VIOLATIONS

fied with the operation, the health, safety and welfare of the people are not endangered, and he is tired of the violations and harassment. Bruce Wideman suggested that Supervisor Aplin send a letter to the Department of Environmental Conservation - Mr. Long, inquiring as to what is considered proper compaction because compaction is one of the regular violations, and perhaps questioning some of the other violations. The question was raised as to what Palmyra would do if we continue to ignore the notices and the landfill is closed down. More discussion followed.

WATERE. WATER DIST.

Water - Chairman Nelson Cook reported that the meter vault is installed on Rt. 31, the leaks in the line are being worked on and being cleared up and following the Department of Health's approval, he doesn't expect it will be long before the line will be completed and ready for use.

METER READING
& BILLING

Mr. Cook also reported that the water billing for this quarter is completed and the bills will be going out. He advised that a reading has been taken at the Master Meter on Canandaigua Road and next quarter a comparison can be made between house readings and the Master Meter reading. The Village expects to bill the Town next quarter on the reading from the Master Meter.

READINGFROM M. METER

The equipment is in for the Meter Vault on Division Street for the North Water District and the installation should be underway soon.

There is no Water Contract with the Village for the East Water District as yet but Mr. Cook stated that when the Master Meter is in and the line is ready, there will be a Contract with the Village.

GEN. DISC.

Supervisor Aplin questioned Mr. Cook on the progress with the East Water District, wanted to know what the hold up is and requested a written report at the next meeting. Mr. Cook replied that a verbal report will be given as usual. Mr. Wideman questioned the necessity of the Master Meter before the line can be used and Mr. Cook replied that the Village feels there is loss and the meter will catch it. Supervisor Aplin asked Mr. Cook if he knew how many leaks there were in the line, if it was pressurized and sanitized, and if he had contacted Mr. Sessler or Hershey Malone Associates. The negotiable parts concerning the Contract with the Village were discussed. Lengthy discussion was held on the East Water District and related problems.

JOINT REC. COMM.APPLIC. BOR
FUNDS

Joint Recreation Commission - Nelson Cook reported on the status of the application for BOR Funds- Palmyra Community Park. Resolutions are needed to accompany papers to be sent to Albany to complete the application.

RESOLUTIONRE: DESIG.TN. OF PAL.LEAD AGENCY

The following Resolution was offered on the motion of Nelson Cook, seconded by Bruce Wideman and was duly adopted with the following vote:

Ayes: Supervisor Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook.

Noes: None

WHEREAS, the Town of Palmyra has adopted the State Environmental Quality Review Act and under the State Environmental Quality Review Act's rules when more than one (1) municipality is involved, a Lead Agency must be designated,

NOW THEREFORE BE IT RESOLVED, that the Town of Palmyra is designated as the Lead Agency for the BOR Grant for the Palmyra Community Park.

RESOLUTIONDECL. NO SIGN.IMPACT ONENVIRONMENT

The following Resolution was offered by motion of Edwin Wheeler, seconded by Bruce Wideman:

WHEREAS, by a Resolution duly adopted by the Town Board of the Town of Palmyra on August 23, 1979, the Town Board has designated itself the "Lead Agency" in connection with the application for BOR Funds for the Palmyra Community Park, and

WHEREAS, in accordance with the pertinent provisions of Part 617 of the State Environmental Quality Review Act, it has caused to be carried out the necessary examination and investigation into the question as to whether the Palmyra Community Park will have a significant impact on the environment and specifically has caused to be prepared an environmental assessment of

the proposed project and such assessment having been duly filed,
 BE IT RESOLVED, that on the basis of the environmental assessment as filed the Town Board hereby determines that the proposed project will have no significant impact upon the environment.
 BE IT FURTHER RESOLVED, that the above Resolution is subject to receipt of a Resolution from the Village of Palmyra designating the Town of Palmyra as Lead Agency for this Project and receipt of their determination that no environmental impact will be caused by this Project.

RESOLUTION
 CONT'D
 (SEGRA)
 (BOR FUNDS)

Duly put to a vote as follows:

Ayes: Supervisor Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook.

Noes: None Resolution carried.

Nelson Cook will contact the Village of Palmyra in regard to the Resolutions required from them.

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

RESOLUTION
 DIV. OF
 YOUTH

BE IT RESOLVED, that the Supervisor be authorized to sign the necessary papers for the Division of Youth Contract.

Consolidation of Village & Town - Chairman Edwin Wheeler had no report at this time.

CONSOLIDATION

Supervisor Aplin reported that he had received a letter from the Village requesting the Town to expedite the matter of a lease or title to property for proposed Village Barns. This matter was discussed and the Town Attorney will send a letter in reply to the request of the Village.

PROP.
 LEASE W/
 VILLAGE

Chairman Edwin Wheeler spoke briefly on the Advisory Committee for the Community Development Funds.

Unfinished business - Supervisor Aplin reported that he has received letters from Auburn Cable TV and Seneca Video. Both companies stated that they have no interest in furnishing the Town of Palmyra with Cable TV.

UNFIN. BUS.
 CABLE TV

Supervisor Aplin reported that he has been notified that Finley Cox has resigned as Voting Machine Custodian and William Deys has also indicated that he will resign. These appointments are made by the Republican & Democratic Town Committees and the Chairmen of these political parties should be informed of the resignations by the Custodians and new appointments made. The suggestion was made to contact the custodians about continuing for this year to allow time for new custodians to attend school for instruction on the Voting Machines. Supervisor Aplin will check with Jamestown concerning the next scheduled schooling for Voting Machine Custodians.

RESIGNATIONS
 VOT. MACH. CUST

There are insufficient funds in the Assessor's Equipment Account to cover the cost of the typewriter. The following Resolution was offered by Bruce Wideman, seconded by Nelson Cook and passed with 4 ayes and no noes:

SCHOOLING
 FOR CUSTOD.

BE IT RESOLVED, that a transfer of funds from Contingency Account #A1990.4 to Assessor's Account (Equipment) A1355.2 in the amount of \$200 be approved.

The motion to pay the bills as listed on Abstract #8A was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no noes. The bills are listed by Funds as follows:

RESOLUTION
 TRANS. OF
 FUNDS

MOTION TO
 PAY BILLS

GENERAL FUND	VOUCHERS #384-403	4031.81
PART TOWN FUND	" # 58- 59	45.46
FEDERAL REVENUE SHARING	" # 27- 28	130.00
HIGHWAY ITEM I & IA	" # 43- 47	19296.46
HIGHWAY ITEM III	" #147-157	8857.46
HIGHWAY ITEM IV	" # 41- 42	570.00
NORTH WATER DISTRICT	" # 29- 30	1946.51
SOUTH WATER DISTRICT	" " 25	48.74
TOTAL		\$26926.44

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

MOTION TO
 ADJOURN

Respectfully submitted,
Betty B. Stubbings
 Betty B. Stubbings

September 13, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened by Supervisor Aplin at 7:30 P.M. on Thursday, September 13, 1979 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 Roy Aplin, Town Councilmen Bruce Wideman, Edwin Wheeler and Nelson Cook, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending were Donna Gamblin and Margaret DeNeef.

MOTION TO
APPROVE
MIN. OF 8/9

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to dispense with the reading of and approve as submitted the minutes of August 9th. Motion passed with 4 ayes and no noes.

COMMUNICA-
TIONS

Communications - The following communications were presented to the Board for their review: (1) a letter from U.S. Senator Moynihan in reply to the Resolution passed by the Board concerning gas allocations (2) a letter with enclosures from Congressman Frank Horton in reply to the Resolution concerning gas allocations (3) a letter from the Palmyra Kings Daughters Free Library in regard to their request for the 1980 Budget (4) a copy of a letter to R. Howard from Bernard Donegan concerning the FHA Loan and Grant (5) a letter with enclosure from Paul Rubery in regard to a Proposed Job Incentive Local Law.

COMMITTEES

Committees -

ZONING

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

The Clerk reported that a representative from the office of Dr. Adams, Health Officer, picked up the papers and maps in regard to the inspection of Valley View Trailer Park.

ASSESSMENT

Assessment - Chairman Bruce Wideman reminded the Board that a decision was to be made at this meeting in regard to the secretarial help in the Assessor's Office and asked the Board's pleasure on this matter. Discussion included the fact that clerical help is needed in the Assessor's Office, the question of where the money will come from, with Supervisor Aplin replying that the funds will have to come from Federal Revenue Sharing or the Contingent Account, the question of the number of hours a person should work and if the person hired for the Assessor's Office would also do the secretarial work for the Planning Board and the Zoning Board of Appeals.

David Lyon joined the meeting at this time.

MOTION TO
HIRE SEC.
HELP FOR
ASSESSOR'S
OFFICE

Following the discussion on clerical help for the Assessor's Office, a motion was made by Edwin Wheeler, seconded by Bruce Wideman that a secretary be hired to take care of the necessary paper work at the Assessor's Office, to work approximately 20 hours a week, not to exceed 80 hours a month at \$3.25 per hour. Motion passed with 4 ayes - David Lyon abstained.

HIGHWAY
PROPERTIES
ON HARRIS RD.

Highway - The matter of the Clark and Hand properties on Harris Road was discussed briefly. The Town Highway Superintendent had inquired about the property owners receiving letters in regard to the placement of driveways. This matter will be checked out with the Town Attorney.

HWY 1A PROJECT

David Lyon reported that James DeBrine has filed a Preliminary letter with the State concerning the intentions on Highway 1A Project. At this point the plan is for basic maintenance and re-surfacing projects.

CARLOCK
SPRING

Supervisor Aplin reported that no response has been received concerning the vandalism at the Carlock Spring on Division Street. This will be discussed with the Town Attorney.

PROP. ON
MEADOW DR.

Supervisor Aplin also reported that no response has been received from Mr. Daansen in regard to the condition of the lot on Meadow Drive. The Board will check with Mr. Rubery about the Town having the work done and add the cost to the property owner's tax bill.

Landfill - Supervisor Aplin reported that things are running smooth and no violations have been received.

67
LANDFILL

Water -

WATER

East Water District - Supervisor Aplin presented 2 letters for the Clerk to read, the first dated August 30, 1979 to Mayor Marylou Wilson and Village Board members in regard to the pending contract for the East Water District and the second dated September 7, 1979 from Village Clerk Theresa Otte replying to Mr. Aplin's letter and advising that a water agreement will be promulgated in the immediate future. Chairman Nelson Cook reported that the water sampling and testing was done again on Tuesday of this week and State approval has to be received on that. Mr. Cook advised the Board that he has talked with Village Trustee Fred Alderman and has been informed that the agreement for the East Water District will be added on to the existing Water Contract as a rider with the same Contract conditions and rate. Mr. Cook stated that, after talking with Town Engineer Tony Malone, the work for the Water Services can't be bid out at this time - not until approval from the Department of Audit & Control for increasing the amount to be expended is received. The Board will ask the Town Attorney to advise them on this point.

EAST WATER DISTRICT

GEN. DISC.

North Water District - Nelson Cook reported that the equipment is in for the Meter vault on Division Street - a schedule will have to be set up for the Town and Village Cress to set the vault. A question has been raised as to where to place the Vault and if the domestic water service to Garlock's will be tied in.

NORTH WATER DISTRICT
N.M. VAULT

Joint Recreation Commission -

JT. REC. COMM.

Application for BOR Funds - Palmyra Community Park - The necessary Resolutions have been received from the Village of Palmyra. The Board reviewed and answered the questions relative to the Environmental Assessment. The necessary papers, resolutions, declaration, etc. as requested by the various State Departments will be sent out to the respective offices.

BOR FUNDS

Consolidation of Town & Village - The Clerk read a copy of a letter to the Village of Palmyra from Town Attorney Paul Rubery in regard to the possible leasing of property to the Village for Village Highway Facilities. This subject was discussed at length with Bruce Wideman questioning the reasons for this matter to come up under Consolidation. Nelson Cook also suggested changes in the conditions as set down in the letter. This matter will be discussed when the Attorney joins the meeting.

CONSOLIDATION
PROP. FOR VILLAGE

Continuing under Consolidation, Edwin Wheeler asked if a letter had ever been sent out to the New York Telephone Company from the Town Board in regard to the toll-free calling area. A motion passed by the Board at the June 28th meeting requested a letter be sent. Supervisor Aplin indicated he would take care of it.

LETTER TO N.Y. TEL.

Cemeteries - Supervisor Aplin reported that CETA help was used this summer in cleaning up the Town Cemeteries.

CEMETERIES

Unfinished Business -

UNFINISHED BUSINESS

The Clerk read 2 applications for the position of Dog Enumerator. One was from a Mr. DeWitt Castor and it was determined that although Mr. Castor has a Palmyra Post Office he is actually a resident of the Town of Manchester. The other applicant was Peter Wilson who has participated in the last 2 enumerations. A motion was made by David Lyon, seconded by Edwin Wheeler to appoint Peter Wilson as Dog Enumerator for the Town of Palmyra for 1979. Motion passed with 5 ayes and no noes.

DOG. ENUMER.

MOTION TO APPT. PETER WILSON

David Lyon inquired if Supervisor Aplin had obtained the information concerning the Voting Machines which would help the Board determine if the purchase of a new Voting Machine is necessary. Mr. Aplin reported that he had checked with Wm. Dave

INFORMA-RE: VOT. MACH.

Deys and it was decided that the purchase of a new machine could be postponed this year.

ZONING

DON. EAST COMPLAINT

DISCUSSION & REPORT OF TN. ATTOR.

Zoning - With the Town Attorney now in attendance, the Board turned their attention to the complaint against Donald East and Supervisor Aplin briefly updated the Board in regard to this item of business. Mr. Rubery then reported to the Board on the developments up to this point. The Town of Palmyra thru Zoning Officer Francis Toole served a Cease & Desist Order on Mr. East and the Town was then served with an injunction preventing the Town from implementing the 10 day Cease & Desist Order. The matter was adjourned to Thursday, September 13th and at that time the Town was charged with selective enforcement and a relationship between the complainant and the Zoning Officer. Mr. Rubery recommended that Cease & Desist Orders be served on Gerald East and Richard (Shirley) Finley. Mr. Donald East claims that he is operating under a pre-existing, non-conforming use which the Town Attorney thinks is not possible. The case was adjourned to Monday A.M. at which time Mr. East will have to prove the pre-existing, non-conforming use and Mr. Rubery has asked for proof to show when Mr. East started business. During the discussion, Margaret DeNeef of Route 21 contributed pertinent information. Mr. Rubery suggested that the Supervisor contact the Department of Environmental Conservation at Avon and ask for certified copies of the Department's records of permits issued to Donald East, Gerald East, and Richard (Shirley) Finley. Supervisor Aplin stated that he has talked with Avon and expects to have a list of the similar businesses in the Town of Palmyra and Mr. Long of Region #8 in Avon will check previous records. Edwin Wheeler also stated that if these businesses have Scavenger Permits, the permit shows where the waste is being disposed of. Town Attorney Paul Rubery explained the procedure the Town will follow and asked for the authority to proceed with affirmative actions. The following Resolution was offered by motion of Bruce Wideman:

RESOLUTION TO PROCEED W/AFFIRM. ACTIONS

Be it Resolved that the Town Board of the Town of Palmyra grants authority to the Town Attorney to proceed with affirmative actions against Donald East, Gerald East and Richard (Shirley) Finley for possible violations against the Zoning Ordinance of the Town of Palmyra.

The Resolution was seconded by Edwin Wheeler and was carried with a unanimous vote.

DISC. CONT'D

Mr. Rubery advised the Board that as a part of the counter claim, he brought an action against Donald East under the Garbage and Refuse Ordinance. He suggested that the Board look at a new Ordinance or make an amendment to the existing Ordinance in regard to the disposal of waste material, in particular, human waste. At this time, a motion was offered by Bruce Wideman, seconded by Nelson Cook to have the Planning Board do some initial research in regard to a Scavenger Ordinance for the Town of Palmyra. Motion passed with 5 ayes and no noes.

MOTION TO REQ. PL. BD. TO RESEARCH SCAV. ORD.

In response to a Town Board request, Dr. Adams, Health Officer, along with Department of Environmental Conservation representatives inspected the property in question but they found that the property had been plowed just prior to their inspection.

DISC. CONT'D

The Town Attorney's assessment of the situation was that the Town has to try to protect the people and enforce the law. Considerable discussion followed and it was resolved that the Town Attorney would contact Region #8 of the Department of Environmental Conservation at Avon for certified copies of the complete records involving Donald East, Gerald East and Richard (Shirley) Finley. Further discussion followed on laws and ordinances.

RESOLUTION TO ENACT LEGISLATION

The following Resolution was offered on the motion of Bruce Wideman, seconded by David Lyon and was passed with a unanimous vote:

WHEREAS, the Town Board of the Town of Palmyra has learned there are certain inconsistencies in the method in which certain State Agencies issue

permits to private corporations and/or individuals conducting business in the various Towns in the State.

RESOLUTION
RE: PER-
MITS FOR
DUMPING
WASTE

AND WHEREAS, it has come to the attention of the Town Board of the Town of Palmyra that permits have been issued in the Town of Palmyra without notice to the Town of Palmyra either before or after the granting of the permit, which permit could authorize an activity which would endanger the health and welfare of the citizens of the Town of Palmyra,

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby respectfully request that the Governor of the State of New York, the Assembly of the State of New York and the Senate of the State of New York enact legislation and promulgate Executive orders which would insure that 10 (ten) days prior to the granting of any permit, notice be given to the appropriate municipalities and that notice also be given upon the awarding of the permit,

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Honorable Governor Hugh L. Carey, Governor of the State of New York, to the Honorable Fred Warder, Member of the 52nd Senatorial District of the State of New York and to the Honorable L. Paul Kehos, Assemblyman from the 129th Assembly District of the State of New York.

Vote: Unanimously approved.

Resolution adopted.

Water -- Chairman Nelson Cook questioned the Town Attorney in regard to a response from the Department of Audit & Control on the approval of the Loan & Grant for the East Water District. Mr. Rubery reported that he had spoken with Mr. Ciezewski and was informed that the Department of Audit & Control expected to work on the Town of Palmyra's request very soon. Mr. Rubery also reported that he had received a call from Town Engineer Tony Malone advising that all tests for the East Water District have been performed and approved. Mr. Malone understands that the results are on the way back to the Contractor, Mr. Sessler. In order to avoid any delay in getting the water services in, the following Resolution was offered on the motion of Nelson Cook, seconded by Edwin Wheeler and passed with 5 ayes and no noes:

WATER
DISC. RE
ANS. FROM
D. A & C
E. WATER
DIST.

WHEREAS, the East Water District has been informed it may be eligible for an FHA Grant and Loan totaling \$125,000,
AND WHEREAS, said Grant and Loan is subject to approval of the increase of the total amount of expenditure to \$125,000 for the improvement by the Department of Audit & Control,

AND WHEREAS, the installation of Water services is subject to receipt of the funds from the FHA and their approval of the plans,

AND WHEREAS, the weather conditions require that the bids be submitted now so that installation could be completed before the severe winter weather sets in,
NOW THEREFORE BE IT RESOLVED, that the Town of Palmyra does hereby authorize that invitations to bid be advertised for the installation of services for the East Water District all in accordance with the plans prepared by HERSHEY-MALONE Associates, Consulting Engineers for the Town of Palmyra and that the awarding of any contract be subject to approval of the Department of Audit & Control of the increase in the Town's expenditure to \$125,000 and subject to receipt of the funds from Farm Home Administration.

RESOLUTION
APPROVING
ADV. FORD
BIDS ON
WATER SERV

Unfinished business - Under a general discussion, the Board covered the following items: (1) the letter which was sent to the Village of Palmyra concerning the property for Village Highway facilities was discussed with the Town Attorney - he advised that no response has been received, possible changes in the conditions were also discussed. (2) Nelson Cook asked the Board to consider the possibility of having Town Engineer Tony Malone work with him on the Water Contract. (a suggestion from Edwin Wheeler that a joint meeting with the Village of Palmyra be held to solve some of the current problems was discussed. (4) Carlock Spring - The Town Attorney reported that he has received no response from his letter to Mr. McCall and another letter has gone out to Mrs. McCall. If no response is received, the Town can close or cover the spring because of the dangerous condition and add the cost of the work to the tax bill. (5) Supervisor Aplin questioned the Town Attorney in regard to doing the work to clean up the lot on Meadow Drive. Mr. Rubery advised that the Town could have the lot mowed and charge the cost to taxes. (6) the question in regard to taking salary expenses for secretarial help in the Assessor's Office from Personal Services Account.

GENERAL
DISCUSSION

RESOLUTION
TO APPROVE
TRANSFERS

The following Resolution was offered by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no noes:

BE IT RESOLVED, that the following Transfers be approved:

From the Town Clerk's Contractual Expense Acct. # A1410.4 to the Town Clerk's Deputy Acct. # A1410.2 - \$174.13

From the Contingent Acct. # A1990.4 to the Insurance Fund Acct. # A1910.4 - \$1098.00.

From Highway IA Contractual Expense Acct. # DE5150.4 to the Highway IA Employees' Benefits Acct. # DE5150.8 - \$24.74.

MOTION TO
PAY BILLS

The motion to pay the bills as listed on Abstract #8B and Abstract #9 was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no noes. The Bills are listed by Funds as follows:

Abstract # 8B

GENERAL FUND	Vouchers # 404 - 411	\$2727.13
PART TOWN FUND	" # 60	13.00
FEDERAL REVENUE SHARING FUND	" # 29	1000.00
NORTH WATER DISTRICT	" # 31 - 32	99.37
SOUTH WATER DISTRICT	" # 26 - 27	53.51
TOTAL		\$3893.01

Abstract # 9

GENERAL FUND	Vouchers # 412 - 438	5256.60
PART TOWN FUND	" # 61 - 62	624.81
HIGHWAY ITEM I & IA	" # 48 - 52	5412.27
HIGHWAY ITEM III	" # 158 - 173	2024.82
HIGHWAY ITEM IV	" # 43 - 44	361.75
NORTH WATER DISTRICT	" # 33 - 34	4603.37
SOUTH WATER DISTRICT	" # 28 - 30	2351.12
TOTAL		#20634.74

MOTION TO
ADJOURN

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

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

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

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

September 28, 1979

NOTICE OF HEARING
ON GENERAL REVENUE
RAISING FUNDS
PUBLIC NOTICE
HEREBY GIVEN that the
Town Board of the Town of
Palmyra, New York, is holding
a public hearing on the proposed
General Revenue Raising
Funds estimated to be
\$42,162 for the year 1980
with a limit of \$25,000
for the year 1981 for
Protection and \$1,162 for
Capital Expenditures in the
Town Clerk's Office 4204 E.
Main Street, Palmyra, New
York, on Thursday, September 27,
1979, at 7:00 P.M. on
September 28, 1979.
Betsy A. Stubbings
Town Clerk
Palmyra, New York
287-1129 (5-29)

Rosalie J. Mouton

Foreman of the Publisher

Subscribed and sworn to before me

this 9 day of Oct 1979

Michael J. Donovana
Notary Public

Fee: \$ 11.29

NOTARY PUBLIC
NOTARY PUBLIC

September 27, 1979

71

The Public Hearing scheduled by the Town Board on the proposed General Revenue Sharing Funds was opened by Supervisor Aplin at 7:00 P.M. on Thursday, September 27, 1979 in the Town Office, 204 East Main Street, Palmyra, New York. The Legal Notice as it appeared in the official newspaper was read by the Clerk. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler and Nelson Cook, and Town Clerk Betty Stubbings. Steve Jackson and John Nesbitt were also in attendance. No one appeared to speak in favor of or opposed to the planned use of the Federal Revenue Sharing Funds. The hearing was closed at 7:15 P.M..

PUBLIC HRC.
GEN. REV.
SHARING
FUNDS

At 7:30 P.M., 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. Town Officials who joined the meeting at this time were Town Councilman Bruce Wideman, Zoning Officer Francis Toole Town Attorney Paul Rubery and Town Engineer Tony Malone. Interested persons attending the meeting were: Margaret DeNeef, Pauline Nearing, Minnie Breed, Richard Finley, Donald Goebert, Thelma Pechler, Carol Pechler, Doyle Denosky and Edmond DeWind.

REGULAR
MEETING
OPENED

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to dispense with the reading of and approve as submitted the minutes of August 23, 1979.

MOTION TO
APPROVE
MIN. OF 8/23

Motion passed with 4 ayes and no noes.

There were no Communications except those which came up under Committees.

Committees -

COMMITTEES

Zoning - The first item of business under Zoning was the complaint of the Town of Palmyra against Donald East. Town Attorney Paul Rubery was asked to update the Board concerning this matter. Mr. Rubery reported that he appeared in Supreme Court on Monday, September 17th. Mr. East's attorney did not appear and Mr. Rubery was requested by the Court to contact the attorney by phone. Margaret DeNeef interrupted with a question as to why the Town Attorney should contact Mr. East's attorney. Mr. Rubery continued and stated that he appeared, the Judge asked him to call, he called and Mr. East's attorney said he would appear at 9 A.M. on Tuesday, which he did. The Town Attorney stated that we (the Town) were unfairly beaten on Tuesday. Again there was an interruption by Mrs. DeNeef, loudly repeating " We were beaten - the case should have been dismissed Monday". Mr. Rubery continued by informing the Board that he received a call from Mrs. DeNeef accusing him of making a political deal and because of this, he contacted Mr. Trevett who has been used by the Town Board before. Copies of papers concerning this case were given to Mr. Trevett to review. An appeal is dictated but appeals take time. There were more interruptions by Mrs. DeNeef. Mr. Rubery said he talked with the Department of Environmental Conservation and the Bureau of Motor Vehicles to check on the claim by Mr. Donald East of a pre-existing, non conforming use. He has prepared the hearing notice for October 16, 1979 before the Zoning Board of Appeals as directed by the Court. Mrs. DeNeef read a statement from a copy of a State Permit - more accusations followed. At this time, Supervisor Aplin read a letter from Dwaine Denosky of Cole Road indicating concern about the drainage from the property where Mr. East dumps polluting the drinking water (wells). The letter was also signed by several residents of the Palmyra-Marion Road and Cole Road. The Town Attorney stated the letter had been presented to the Court. Supervisor Aplin questioned why no one was called to testify in Court and Mr. Rubery replied that he requested a full hearing but the Court said the hearing should be held by the Zoning Board of Appeals - the Court ruled on due process. There were more interruptions by Mrs. DeNeef. Mr. Rubery also stated he questioned both Mr. Sieffer and Mr. Clark of the Department of Environmental Conservation in Avon in a phone conversation concerning the State allowing this kind of dumping to continue. Mrs. DeNeef again interrupted to remark in regard to the dumping and also made accusations concerning the Town

ZONING
D. EAST
COMPLAINT

DON EAST
COMPLAINT
CONT'D

Attorney and the Town Board. At this point, Bruce Wideman attempted to explain to Mrs. DeNeef the procedure the Board has to follow and stated that the Board couldn't tolerate the continual interruptions by Mrs. DeNeef. More accusations about the Town Attorney were made by Mrs. DeNeef. Supervisor Aplin questioned Mr. Rubery in regard to the hearing and due process and asked "How can we stop it?". Mr. Rubery again referred to his phone conversation with Mr. Seiffer and Mr. Clark - the State still maintains there is no violation. Mr. Aplin stated he had talked with Bob Long of the Department of Environmental Conservation. Further reporting by Mr. Rubery on his phone conversation with the DEC followed. Bruce Wideman asked when Gerald East started and Mr. Rubery replied that Gerald East started in 1964 and Mr. Finley in 1973. Mr. Aplin questioned when the hearing was scheduled before the Zoning Board of Appeals. Bruce Wideman requested the Town Board to instruct Zoning Officer Francis Toole to issue Cease & Desist orders on Donald East, Gerald East and Richard Finley. Mr. Finley discussed with the Board the stop work orders and Mr. Wideman replied to Mr. Finley that there is an obligation on the part of the operators to take care of the waste properly.

Town Highway Superintendent James DeBrine and Town Councilman David Lyon joined the meeting during the above discussion.

MOTION TO
ISSUE STOP
WORK ORDERS
TO D. EAST,
G. EAST &
R. FINLEY

At this time, Bruce Wideman entertained the motion that the Zoning Enforcement Officer as of 9/28/79 issue a stop work order to Donald East, Gerald East and Richard Finley until an effective plan is submitted to the Town Board as to method or methods by each individual aforementioned to eliminate the problem. The motion was seconded by Edwin Wheeler. Under discussion, an unidentified speaker questioned why the Board had to stop the dumpers, why they couldn't come up with some alternative plan. Mr. Rubery explained and cleared some points in regard to Zoning, Edwin Wheeler explained why all 3 are to be issued the violations - to avoid being accused of selective enforcement and Bruce Wideman explained the reasons for submitting a plan showing methods to eliminate the problem. More discussion followed and Bruce Wideman called the question. The motion was passed with 5 ayes and no noes.

MOTION TO
DENY SPEC.
AUTHOR. OF
A. PECHLER

The next item of business under Zoning was the Board's decision on Arnold & Thelma Pechler's request for Special Authorization. As Chairman of the Zoning Committee, Bruce Wideman made the motion that Special Authorization to sell alcoholic beverages at Pechler's Trails, Shilling Road be denied. Motion was seconded by David Lyon. Under discussion, Bruce Wideman commented on the decision of the Board, stating that Pechler's Trails are located in an Agricultural Zone, a residential and farming area, and the skiers desires couldn't justify granting permission to sell alcoholic beverages in that area. John Nesbitt approached the Board to speak for Mrs. Pauline Nearing, requesting that Special Authorization be denied because, first, less than one year ago the Board's decision in setting down conditions for the operation of Pechlers' Trails was not to sell alcoholic beverages, therefore, the owners knew what the ground rules would be and, second, the selling of alcoholic beverages is not an integral part of skiing. The question of a full liquor license or one only for beer and wine was discussed. Mrs. Thelma Pechler stated for the record that their request was not to sell liquor - just beer and wine. Supervisor Aplin also commented in regard to high safety, quoting from the record that North Creek Road in comparison with other roads in the Town has a high accident rate and in his opinion the area didn't need another place selling alcoholic beverages. The motion to call the question was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes. On the question, the vote to deny the Special Authorization was 5 ayes and no noes.

MOTION TO
CALL THE
QUESTION

The Town Office received an application from Charles LaLoggia to operate a Day Care Center on Parker Road. This will require Special Authorization from the Town Board and a public hearing will be necessary. A motion was made by Bruce Wideman, seconded by Edwin Wheeler to advertise for a public hearing for Charles LaLoggia's request, the hearing to be held Thursday, October 25, 1979 at 7:30 P.M.. Motion passed with 5 ayes and no nos.

MOTION TO
ADV. PUB.
HRG. FOR
LALOGGIA

The Board agreed to set a time for a public hearing for Richard Finley on the Special Authorization - use in an Agricultural area. The motion was made by Bruce Wideman, seconded by Edwin Wheeler to advertise for a public hearing for Richard Finley's request, the hearing to be held Thursday, October 25, 1979 at 8:00 P.M.. Motion passed with 5 ayes and no nos.

MOTION TO
ADV. FOR
PUB. HRG.
FINLEY

The Clerk advised the Board that Mr. Alloco's application and maps concerning the permit to operate a Mobile Home Park (Valley View Mobile Home Park) have been returned by the Health Officer. A motion was made by Bruce Wideman, seconded by David Lyon to table the decision on this matter, the Board will review the papers and make a decision on October 25th. Motion passed with 5 ayes and no nos.

MOTION TO
TABLE DEC.
ON M.H.
PARK PERM.

Water - East Water District - The Town Engineer was present to report to the Board on the status of the Route 31 East Water District. Mr. Malone stated that first he wanted to bring to the Board's attention that the system was completed, the sample was returned as satisfactory from the Health Lab and has been submitted to the Department of Health. His office has not as yet heard back from the Department of Health in regard to Official Certification but, once that happens, the Board can permit connections to the system. Nelson Cook at this time advised both Mr. Malone and the Board that, following an inspection on September 26th, with Ron Rudio of the Department of Health in attendance, verbal authorization was given by Mr. Rudio to Water Superintendent Harold Kruger that the system is satisfactory. Mr. Malone then stated that with this authorization, and as soon as approval comes from FHA on the Plans and Specifications for the Service Contract, the bids for the Service Contract (Water Services) can be advertised - the Board granted authorization to Mr. Malone at the September 13th meeting. Supervisor Aplin questioned the verbal authorization by Mr. Rudio and asked when it would be confirmed in writing. The Town Engineer replied that verbal authorization was sufficient - the back-log of paper work at the Department of Health is 6 months. Mr. Malone also reported that as a result of the inspection on 9/26 with Harold Kruger, Nelson Cook and J. Pullen of Hershey Malone Associates in attendance, J. Pullen has sent a letter to Mr. Sessler with a list of items to be corrected - nothing of any magnitude. The specifications for the water services and inspection of the line as it is installed were discussed while Town Engineer Malone was present. As a matter of record, Mr. Malone questioned if there is going to be an inspection of the water lines as they are installed. It was also reported that the meter which was originally for the North Water District and was installed in the East Water District, has not been replaced by Mr. Sessler. Items also discussed with the Town Engineer were: (1) Installation of the Master Meter for the North Water District (2) Rules and Regulations for the Water Districts - in particular, the East Water District (3) a letter from the Village of Palmyra which was read by Supervisor Aplin concerning the water leak in the East Water District. Nelson Cook reported that the situation was investigated by him along with Harold Kruger and Village Trustee Fred Alderman and it was determined that unauthorized persons had tampered with the line. Town Councilman Edwin Wheeler questioned when the line would be ready to go. Mr. Malone replied that the Town could accept the completion of the line on October 1st contingent upon the minor corrections required by Mr. Sessler. The Contractor will submit an estimate the first meeting in October - he will be required to furnish a 1 year Maintenance Bond and 10% retainage fee. The copy of the specifications for the Service Contract was referred to the Water Committee.

WATER
E. WATER
DIST.

74
ASSESSMENT
LETTER FROM
M. DENEFF

Assessment - a letter from Margaret DeNeef requesting a reduction in her property assessment was referred to Bruce Wideman. He will discuss the request with the Assessor.

MOTION TO GO
INTO EXEC.
SESSION

A motion was made by Bruce Wideman, seconded by David Lyon to go into executive session to discuss personnel and Town Highway employee matters. Motion passed with 5 ayes and no noes.

REG. MTG.
RE-OPENED

The Board returned to the regular session of the Board meeting at 10:10 PM.

MOTION TO
CREATE THE
POSITION OF
DEP. ZON. ENF.
OFFICER

A motion was made by Bruce Wideman, seconded by David Lyon that the position of Deputy Zoning Enforcement Officer of the Town of Palmyra be created by the Town Board. Motion passed with 5 ayes and no noes.

MOTION TO
APPT. SUPER.
TO DEP. ZON.
ENF. OFFICER

A motion was made by Bruce Wideman, seconded by Nelson Cook to appoint the Town Supervisor to serve in the capacity of Deputy Zoning Enforcement Officer in the absence of the Zoning Enforcement Officer. Motion passed with 5 ayes and no noes.

MOTION TO
HIRE COURT
STENO.

A motion was made by Bruce Wideman, seconded by Edwin Wheeler that the Town hire a court stenographer for the Zoning Board of Appeals hearing on the Donald East complaint to be held Tuesday, October 16th. Motion passed with 5 ayes and no noes.

MOTION TO
ALLOW TN. ATT.
TO HIRE
CONSULTANTS

A motion was made by Bruce Wideman, seconded by Edwin Wheeler that the Town Attorney be allowed to hire consultants for whatever need he feels necessary. Motion passed with 5 ayes and no noes.

MOTION TO
ALLOW SUPER.
TO HIRE
ATTORNEY

A motion was made by Bruce Wideman, seconded by Nelson Cook that the Town Supervisor be given the authority to hire an attorney for the appeal to the decision made by Judge Provenzano on the East case. Motion passed with 5 ayes and no noes.

HIGHWAY

Highway - The following Resolution was offered by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no noes:

RESOLUTION
RE: HOGBACK
RECONSTRUCTION

RESOLVED, that the plan prepared at the request of this Board for the improvement of town highways (Hogback Reconstruction) and covering all projects contemplated by it, pursuant to Article 8-A Highway Law, as filed in the office of the Town Clerk of the Town of Palmyra, County of Wayne, on the 13th day of September 1979, be and the same is hereby adopted; and be it further
RESOLVED, that copies of such plan be filed in the appropriate State and County offices in accordance with the provisions of Section 220, Article 8-A Highway Law.

Chairman David Lyon reported that the Highway Committee met with the Town Highway employees to discuss wages and benefits.

LANDFILL

Landfill - No report at this time

CONSOLIDATION

Consolidation of Town and Village - Supervisor Aplin read a letter in regard to the proposed Village Highway facilities. This was discussed by the Board and it was suggested by Nelson Cook that James DeBrine and Raymond Smith get together and work on a solution.

INSURANCE
PROP. RESOL.

Insurance - The Board discussed briefly a Proposed Resolution on Insurance and decided to table further discussion to next meeting.

JT. REC. COMM.

Joint Recreation Commission - Receipt of a Notice of Environmental Review in regard to the BOR Funds - Palmyra Community Park was reported. A copy of this notice plus a map designating the area where the park is to be located will be sent to Robert Scott of the Department of Environmental Conservation at Avon.

BUDGET

Budget - Supervisor Aplin stated that the tentative budget is to be presented to the Town Clerk on or before 9/30 and by the Clerk to the Town Board no later than October 5th. The Board discussed adjourning this meeting to Monday, October 1st.

MOTION TO
APPR. TRANS.

A motion to approve the following Transfers of Funds was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no noes:

- (1) From the Contingent Account # A 1990.4 to the Town Clerk Deputy Account # A 1410.2 in the amount of \$185.50
- (2) From the Assessor - Personal Services Account # A 1355.1 to the Assessor Contractual Account # A 1355.4 in the amount of \$144.05
- (3) From the Contingent Account # A 1990.4 to the Insurance Account # A 1910.4 in the amount of \$118.00

A motion to pay the bills as listed on Abstract # 9A was made by Nelson Cook, seconded by Bruce Wideman and passed with 5 ayes and no noes. The bills are listed by Funds as follows:

MOTION
TO PAY
BILLS

GENERAL FUND	VOUCHERS # 439 - 473	\$12734.04
PART TOWN FUND	" # 63 - 64	700.45
FEDERAL REVENUE SHARING FUND	" # 30 - 31	1210.00
HIGHWAY ITEM I & IA	" # 53 - 59	13502.09
HIGHWAY ITEM III	" # 174 - 176	176.33
NORTH WATER DISTRICT	" # 35 - 36	530.64
SOUTH WATER DISTRICT	" # 31	21.61
TOTAL		<u>\$28875.16</u>

The motion to adjourn this meeting to Monday, October 1, 1979 at 5:00 P.M. was offered by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no noes.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

October 1, 1979

The adjourned meeting of the Town Board of the Town of Palmyra was re-opened by Supervisor Aplin on Monday, October 1, 1979 at 5:10 P.M. in the Town Office, 204 East Main Street, Palmyra, New York. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman and Edwin Wheeler, Town Attorney Paul Rubery and Town Clerk Betty Stubbings.

ADJ. MTG.
RE-OPENED

The Tentative Budget was presented to the Town Board. The Clerk read comments in regard to the Budget and Recommendations on the Budget in the Budget message from Supervisor Aplin, Budget Officer.

TENTATIVE
BUDGET
PRESENTED

A motion was made by Edwin Wheeler to accept the Town Budget as submitted by the Budget Officer with the second draft of the Highway Department as included. Motion was seconded by Bruce Wideman and passed with 3 ayes.

MOTION TO
ACCEPT
BUDGET

Those Officers present set Wednesday, October 10th at 7:00 P.M. for a workshop on the Budget. Members of the Town Board will be notified of the workshop.

WORKSHOP
SET

Bruce Wideman reported that he had been advised by John Blankenberg that he has a building (1700 sq.ft.) for rent on Route 31 if the Town is interested.

A motion to adjourn was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 3 ayes and no noes.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

October 4, 1979

SPECIAL MEETING

A Special Meeting of the Town Board of the Town of Palmyra was opened at 7:00 P.M. on Thursday, October 4, 1979 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Roy Aplin. Present were: Supervisor Aplin, Town Councilmen Edwin Wheeler and Nelson Cook.

The purpose of the meeting was to discuss training for the two newly appointed Election Custodians for the upcoming General Election of November 6, 1979. It is our understanding that both former custodians, William Deys and Finley Cox have resigned, although no official resignations have been received by the Town Board.

After discussion and it being felt that it was in the best interest of the electorate of the Town of Palmyra to train the new custodians, a motion was made by Edwin Wheeler, seconded by Nelson Cook to send both custodians to school at the Automatic Voting Machine Corporation in Jamestown, New York on October 11 & 12, 1979 with all necessary expenses incurred for travel, meals and lodging to be a Town charge. Motion passed with 3 ayes.

Councilman Cook moved that the Board adjourn, seconded by Councilman Wheeler and unanimously carried.

Respectfully submitted,


Roy Aplin, Supervisor

October 11, 1979

77

The regular meeting of the Town Board of the Town of Palmyra was opened by MEETING
Supervisor Roy Aplin at 7:35 P.M. on Thursday, October 11, 1979 in the Town Office, OPENED
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 Roy Aplin,
Town Councilmen Bruce Wideman, Nelson Cook and Edwin Wheeler, Zoning Officer Francis
Toole and Town Clerk Betty Stubbings. Interested persons attending were Steve
Jackson of the Courier-Journal and Mrs. Bernadine Hutter.

A motion was made by Edwin Wheeler, seconded by Nelson Cook to dispense with MOTION TO
the reading of and approve the minutes as submitted of the September 13th meeting. APPROVE
Motion passed with 4 ayes and no noes. MINUTES
OF 9/13

The following communications were presented to the Board for their review: COMMUNICA-
TIONS
(1) a letter from Gov. Carey's Office in regard to the Resolution concerning the
granting of State permits by the Department of Environmental Conservation adopted
by the Town Board on September 13th (2) a letter from Senator Warder's Office in
regard to the Resolution adopted by the Town Board on September 13th (3) an in-
vitation from the Town Board of the Town of Marion to attend the ribbon-cutting
ceremonies and Open House, the official opening of the Marion Sewage Treatment
Plant on Saturday, October 20th at 12 Noon. (4) a letter from the Village of Pal-
myra concerning the Assessor's position (Village and Town) - suggesting concern-
ing salary (5) a letter from the Village of Palmyra in regard to the elimination
of Item #4 as well as Item #3 from the Budget on behalf of Village residents (6)
Zoning Officer Francis Toole presented a letter from Mrs. Richard Thomas, East
Palmyra to be read concerning a request to sell Special occasion cakes, hand-made
articles from her home. This request was referred to the Zoning Committee for
study and recommendations.

Committees -

Zoning - The Clerk brought to the Board's attention a voucher which will be added
to Abstract #10 concerning expenses incurred by Betty Briggs for a Zoning Confer-
ence.

Zoning Officer Francis Toole brought to the Board's attention the application H. SMITH
of Harold Smith. Mr. Toole asked for some direction from the Board. This matter APPLICA-
will be tabled until the Town Attorney arrives. TION

The Clerk reported that Richard Finley requested his hearing scheduled for R. FINLEY
October 25th before the Town Board be postponed. HRG. POST-
PONED

Chairman Bruce Wideman reported that he has received the resignation of Jud- RESIGNATIO
son Roney as a member of the Zoning Board of Appeals, effective December 31, 1979. OF J. RONEY
ZON. BD.

The Board turned their attention to the Donald East complaint with Supervisor
Aplin reporting that, having been given the authority to hire an attorney, he has D. EAST
retained Wayne Harris. Discussion followed. Mrs. Bernadine Hutter requested to COMPLAINT
speak and questioned if area sewage treatment plants can be utilized for dumping
of human waste. She also questioned the right of the Supervisor to go on her prop-
erty without permission. More discussion followed.

Town Councilman David Lyon joined the meeting at this time.

Mrs. Hutter also questioned if the Town has an investigator working on the
East complaint and Nelson Cook replied that perhaps there was someone hired by the
attorney.

Chairman Bruce Wideman replied to Mrs. Hutter's questions by stating that the
Town Board has the responsibility to pass law to prevent the dumping of human waste
in the manner which is now allowed and to protect it's residents from this kind of
violation. Nelson Cook stated that he understood the Village of Palmyra is willing
to accept this type of waste at the Village Sewage Treatment Plant. He also suggested
that someone, perhaps the Supervisor, contact the Village Board in regard to this

78
MOTION RE:
R. APLIN &
B. WIDEMAN
ATTENDING
V. BD. MTG.

matter. A motion was made by Edwin Wheeler, seconded by Nelson Cook that the Supervisor and the Chairman of the Zoning Committee, Bruce Wideman attend the Village Board meeting on Monday, October 15th to request use of the Village Sewage Treatment Plant to dispose of septic system waste. Motion passed with 5 ayes and no noes.

ASSESSMENT
ANNUAL
REPORT

Assessment - Chairman Bruce Wideman reported that the 15 towns in Wayne County submitted Annual Assessment reports and of the 15 - 4 reports were acceptable and Palmyra was one of the four. Edwin Wheeler suggested that a copy of the minutes showing the report of Chairman Wideman be sent to the Assessor.

Supervisor Aplin brought to the Board's attention the difficulty some persons have in climbing the stairs to the Assessor's Office - particularly, the Senior Citizens. Mr. Wideman will talk with Judson Roney in regard to the Assessor meeting with residents in the Town Office when necessary.

HIGHWAY
HWY. INVENTORY

Highway - The Annual Highway Inventory was presented to the Town Board for their review and it will be received and filed by the Clerk.

DISC. RE:
SHERWOOD RD.

Supervisor Aplin requested the Clerk to read a letter from Mrs. Weeks concerning the condition of Sherwood Road, a Town-line road. The Board discussed the problem and Supervisor Aplin reported that he has talked with our Town Highway Superintendent and he will contact D. Orbaker, Supervisor of the Town of Marion. The letter was referred to the Highway committee for research and comment. The Board will work to resolve the problem.

Town Attorney Paul Rubery joined the meeting at this time.

ZONING
D. EAST
COMPLAINT

Zoning - Supervisor Aplin requested the Town Attorney to bring the Board up to date in regard to the D. East complaint and Mr. Rubery reported that he has been in contact with Wayne Harris who has been hired by Supervisor Aplin to represent the Town of Palmyra. Legal procedures, additional material and adjournment of the hearing were discussed at length. The hearing will be postponed to another date, Zoning Board of Appeals members and interested persons will be so notified by the secretary of the Zoning Board.

TN. REC.
DEED TO
GARLOCK
SPRING

The Town Attorney also reported to the Board that he has received the deed for the property on Division Street (Garlock Spring) from Mrs. McCall who is giving the property to the Town of Palmyra. Mr. Rubery described the property and the Board discussed the work involved to restore the building which houses the Spring. A motion was made by Nelson Cook, seconded by Bruce Wideman that the Town of Palmyra accept the property from Mrs. McCall and authorize the Town Highway crew to clean up the area and make it safe. Motion passed with 5 ayes and no noes.

MOTION TO
ACCEPT PROP.
& AUTHOR. TN.
CREW TO CLEAN
UP AREA

The Board returned to the request of Harold Smith for Special Authorization and after checking with the Town Attorney on this matter, a motion was made by Bruce Wideman, seconded by Edwin Wheeler that the Town of Palmyra advertise for a Public Hearing on Harold Smith's application - hearing to be held on Thursday, November 8th at 7:30 P.M.. Motion passed with 5 ayes and no noes.

MOTION TO ADV.
PUB. HRG. FOR
H. SMITH

Water - East Water District - Chairman Nelson Cook reported that he reviewed the Plans and Specifications for the water services and found them in order. He advised the Board that the bids for the water services were to be advertised on October 11th and will be opened on October 23rd in the Town Office.

WATER
EAST WATER
DISTRICT

Supervisor Aplin asked if it was known at this time when the Moose Club could hook-up and Mr. Cook replied that he expected the hook-up to be done by October 16th.

Chairman Cook also reported in regard to correspondence to Mr. Sessler from Hershey-Malone Associates concerning items of work remaining on the East Water District line to be completed, also the maintenance bond and cash retainage.

Other items discussed were (1) Plastic line at the Church (2) completion

of hook-ups before winter in East Water District - Board members have been questioned (3) Electrical work in South District Master Meter Vault (4) Meter Vault on Division Street for the North Water District (5) Paper work for Bernard Donegan, Financial Consultant.

Landfill - Supervisor Aplin reported that another Notice of Violation at the Landfill has been received from the Department of Environmental Conservation at Avon. Discussion followed.

LAND-FILL

Town Attorney Paul Rubery questioned the Supervisor about a Notice from the Department of Environmental Conservation concerning Richard Finley. Mr. Aplin read portions of the Notice and Bruce Wideman questioned the reason for the Town receiving this type of notice - the Town has never received one like this before. The Town Attorney replied that it was without a doubt a result of the Resolution recently passed by the Town Board which was sent to Albany. Mr. Rubery asked if the Board wished him to file comments with the Department of Environmental Conservation in Avon in reply to the Notice. General discussion followed which included (1) Mr. Finley has not come before the Town Board for a permit and (2) the Town has never made a decision that this needs an impact study under SEQRA. A motion was made by Edwin Wheeler, seconded by Bruce Wideman that the Town Attorney file written comments with the Department of Environmental Conservation at Avon in regard to the Notice of Complete Application made by R. Finley for Septic tank cleaner and industrial waste collection. Motion passed with 5 ayes and no noes.

DISC. ON R. FINLEY

MOTION FOR TN. ATT. TO FILE COMMENTS W/ DEC

Joint Recreation Commission - Chairman Nelson Cook reported that plans are set to install the sewer line at the new Palmyra Community Center on October 19th.

JT. REC. COMM

Consolidation of Town and Village - Edwin Wheeler offered some comments concerning the copier in the Town Office.

CONSOLIDATION

Mr. Wheeler also asked the Board to consider the letters presented by the Village of Palmyra in regard to Items 3 & 4 of the Town Budget.

Insurance - A proposed resolution in regard to Insurance was referred to Edwin Wheeler for study and comment. Mr. Wheeler requested the Supervisor to bring a report or an update to the Town Board on the progress of study on Insurance at the County level.

INSURANCE

Unfinished business - Bruce Wideman commented on Councilman Wheeler's suggestion made a couple of meetings ago concerning a joint informal meeting of the Village Board of Trustees and the Town Board to discuss some issues and to try to arrive at some solutions. Mr. Wideman stated that he considered Mr. Wheeler's suggestion a good one and offered to contact the Village to set a possible date to get together.

UNFIN. BUS.

JT. MTG. W/ VILLAGE

The Clerk reported that a workshop on the new New York State Dog Law will be held in Newark on Wednesday, November 14th and asked the Board's permission to close the Town Office the afternoon of November 14th. A motion was made by Edwin Wheeler, seconded by David Lyon that the Clerk be allowed to close the Town Office, Wednesday, afternoon November 14th in order to attend the workshop on the new Dog Law. Motion passed with 5 ayes and no noes.

DOG WORK-SHOP

MOTION TO CLOSE OFFICE 11/14

Supervisor Aplin reported in regard to the resignation of Voting Machine Custodians, William Deys and Finley Cox and the appointments of Ernest Manske, Republican and John Rigney, Democrat as Voting Machine Custodians for the Town of Palmyra. Mr. Aplin also reported that a Special Meeting was called October 4th to get Board approval for School of Instruction, Voting Machines in Jamestown on October 11th and 12th. Mr. Aplin read a letter from the representative of the Voting Machine Company outlining the schooling, housing and other arrangements.

VOTING MACHINE CUSTODIANS

Nelson Cook stated that he had talked with a number of people in the East Palmyra area and found that there was an interest in the Town Board holding some of

80

MOTION TO
HOLD TN. BD.
MEETINGS
APR. & OCT.
IN E. PAL.

their meetings in that area. Nelson Cook entertained the motion that the Town Board of the Town of Palmyra hold the first meeting in April and the first meeting in October of each year starting in 1980 at a convenient location in the hamlet of East Palmyra and asked that he be appointed to locate a place to hold the Town Board meetings. Motion was seconded by Edwin Wheeler and passed with 5 ayes and no noes.

The necessary public hearings to be held on the Budget were discussed by the Board along with the Town Attorney.

MOTION TO ADV. A motion to advertise a Public Hearing on the Preliminary Budget was made by Edwin Wheeler - hearing to be held Thursday, November 8th at 8:00 P.M.
PUB. HRG.
PRELIM. BUD-
GET - 11/8 Motion was seconded by Nelson Cook and passed with 5 ayes and no noes.

MOTION TO ADV. A motion to advertise for a Public Hearing on actual use of General Revenue Sharing Funds was made by Nelson Cook - hearing to be held Thursday, November 8th at 7:45 P.M. Motion was seconded by Edwin Wheeler and passed with 5 ayes and no noes.
PUBLHRG. ON
GEN. REV.
11/8

MOTION TO
APPR. TRANS
OF FUNDS

The motion to approve the following Transfers of Funds was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no noes:

- (1) From Contingent Acct. #A1990.4 to Justice-Contractual Expenses Acct. #A1110.4 in the amount of \$55.83
- (2) From Assessor-Personal Services Acct. #A1355.1 to Assessor-Contractual Acct. #A 1355.4 in the amount of \$173.31
- (3) From Contingent Acct. # A1990.4 to Traffic Control Acct. # A3310.4 in the amount of \$191.19
- (4) From General Repairs-Contractual Expenses Acct. # DR5110.4 to Acct. # DR5110.1-Personal Services in the amount of \$983.38 and to Acct. #DR9060.8 Employee Benefits Hospital in the amount of \$96.96
- (5) From Improvement Program-Hanagan Road-Contractual Expenses Acct. # DE5150.4 to Improvement Program Hanagan Road - Personal Services DE 5150.1 in the amount of \$.02
- (6) From Contractual Expenses Acct. #SW8320.4 to Employee Benefits-Social Security Acct. # SW9030.8 in the amount of \$8.55
- (7) From Contractual Expenses Acct. # SW8320.4 to Employee Benefits - Social Security Acct. # SW9030.8

MOTION TO
PAY BILLS

A motion to pay the bills as listed on Abstract #10 and the Supplement was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no noes, with Edwin Wheeler abstaining on Voucher #477 and David Lyon abstaining on Voucher # 63. The bills are listed by Funds as follows:

GENERAL FUND	VOUCHERS #476 - 503	\$ 3179.57
PART TOWN FUND	" # 66 - 71	468.33
FEDERAL REVENUE SHARING	" # 32	11.29
HIGHWAY ITEM I & IA	" # 62 - 67	9341.96
HIGHWAY ITEM III	" #177 - 189	724.62
HIGHWAY ITEM IV	" # 46	1506.47
NORTH WATER DISTRICT	" # 38 - 40	841.03
SOUTH WATER DISTRICT	" # 33	86.42
EAST WATER DISTRICT	" # 10	1.40
EAST WATER DIST. CAP. PROJECT	" # 11	14601.00

TOTAL

\$30,762.09

MOTION TO
ADJOURN

The motion to adjourn was made by Nelson Cook, seconded by Edwin Wheeler and passed with 5 ayes and no noes.

Respectfully submitted,

Betty B. Stubbings
 Betty B. Stubbings, Town Clerk

October 25, 1979

81

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:35 P.M. on Thursday, October 25, 1979 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 Councilman Bruce Wideman, Town Engineer Anthony Malone and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Board were: Charles LaLoggia, Thomas and Karen Brunette, and William Muoio.

REG. MTG.
OPENED

Town Engineer Anthony Malone came before the Board at this time to report on the Route 31 East Water District. The first part of his report covered the bids for the Water Services Contract. There were 14 "Notice to Bidders" mailed to individual contractors and 6 contractors obtained the bidding documents. However, only one bid was received and that was from Macedon Landscaping Inc. of Macedon, New York. The bid proposal was set up in three components described as follows:

REPORT OF TN.
ENG. T. MALONE
RE: EAST WATER
DISTRICT -
INC. BIDS FOR
WATER SERV.

- A. Base Bid - this component represents the cost to install 3/4", 1" and 2" water service to each structure within the District. The bid price for this component is \$12,876.50.
- B. Conditional Items - represents a pricing technique for special backfill items that may be required if subsurface conditions warrant their use. The bid price for this component is \$1,550.
- C. Alternate Bid Items - represent an installation technique of 2 borings crossing under Route 31 and installing 4" pipe to permit future development in the area. This technique would preclude the future need to install separate long services under Route 31. The bid price for this item is \$15,680.

Mr. Malone indicated in his report that Macedon Landscaping, Inc. is a contractor who has performed similar type work under our jurisdiction and has completed said work satisfactorily. This firm is qualified, has experienced personnel, and proper equipment to capably perform this contract per the plans and specifications. Mr. Malone offered the following evaluation of the bids and recommendations related thereto:

EVALUATION &
RECOMMENDATION
OF BIDS.

The bid amounts for the various items are consistent with prevailing prices for similar work in this area. However, the project can only be built to the Base Bid and Conditional Items in order to remain within the approved project cost. See Exhibit 2 for a cost comparison. Therefore, the alternate items will have to be excluded and future development will be required to absorb the cost of crossing Route 31.

The low bidder is a respectable, reliable firm and therefore, it is recommended that a contract be awarded to Macedon Landscape, Inc. in the amount of \$14,426.50 as being the "lowest responsible bidder" and subject to the approval of the Town Attorney, and the Farmer's Home Administration.

The second part of his report included a Summary Cost Analysis on the entire project for the Route 31 East Water District. All work has been accounted for on the Basic Water line and the Contractor has completed the meter vault. The bids for the Water Services have been advertised and received, and the Town can now award the Contract for Water Services. Mr. Malone also stated that he understood that the approval from Farmer's Home Administration has been received and if so, by Resolution of the Board, the Town could borrow the money for the increased maximum cost, the difference between the original \$94,000 and the increased amount of \$125,000. The Water Service Contract would be awarded and the Town would pay all the fees, then when the project is closed down sometime after the first of the year, the Town would, through Bernard Donegan's office, go through closing procedures with Farmer's Home Administration and receive the grant and loan.

Mr. Malone also spoke to the Board in regard to a need for a Resolution

TOWN ENGI-
NEER'S RE-
PORT CONT'D

change order as follows:

Increase in
Contract Price
\$1,000.00

Item #1 Installation of a 6" gate valve
on Vienna Street, as required by the
N.Y.S. Dept. of Health

Item #2 The installation of tee and
valve on Kent St.

2,313.51

Installation of valves for meter vault

471.29

Relocation of meter vault

353.70

Total

\$4,138.50

JUSTIFICATION:

Change order #1 required by the N.Y.S. Dept. of Health, valve to separate
Village and Town Water District for Item #1. Item #2 required because
of water line relocation and meter vault relocation due to encounter
of underground sewer line.

Some discussion followed and Supervisor Aplin stated that the bid and
reports of Mr. Malone would be referred to the Water Committee and Town
Attorney.

PUBLIC HEAR-
ING -
C. LALOGGIA
(DAY CARE
CENTER)

The hearing scheduled for 7:30 P.M. to consider the application of
Charles LaLoggia to open a Day Care Center in a residence on Parker Road
was opened at 7:55 P.M. by Supervisor Aplin. The Proof of Publication
was read by the Clerk.

Town Councilman David Lyon joined the meeting at this time.

Mr. Thomas Brunette came before the Board to explain the operation of the
proposed DayCare Center. He stated that he had been asked by Mr. LaLoggia to
prepare a prospectus on the feasibility of opening a Day Care Center at 3231
Parker Road. He informed the Board of his background for this type of work,
he has a B.A. in Social Services and has worked in Monroe County for the Di-
vision of Youth, Children's Protective Service and Hillside Children's Cen-
ter. Mr. LaLoggia has asked Mr. Brunette to be Director of the proposed Day
Care Center. Mr. Brunette stated that a study was done for the area involved
and the study indicated there were 500 children who would fit within require-
ments in the age range 4 - 6 years. He said they were aware of the Punkin Patch
Nursery and Supervisor Aplin informed him of the Mary Kelly Griffin Family Day
Care Center, 161 Hyde Parkway, Palmyra. Discussion on this request covered the
following: (1) surveys based on 20 children as well as 35 - 40 children, (2)
yearly program hours - open at 7 A.M. with 6 P.M. as an approximate closing
time, (3) amount of space to be used for the Day Care Center in the residence,
(4) area to be served, (5) proper exits, (6) parking space, and (7) intentions
in regard to expansion. Mr. LaLoggia stated that he has no intentions of ex-
pansion in the way of an addition to the house. If the program proved success-
ful, both floors in the house would be utilized, approximately 1500 sq.ft., and
he would consider building a separate residence on the property. Mr. Brunette,
as Director, would be in charge of hiring the staff. It was also stated that
the State has to certify the program and Lyons would also look at the proposed
center. Another benefit to the area would be taking children thru Social Ser-
vices - this would enable families now receiving aid to become self-supporting.
Mr. Brunette's and Mr. LaLoggia's last comments were in regard to the benefits
from this program to the community as well as the children and parents. The hear-
ing was closed at 8:15 P.M..

REG. MTG.
CONT'D
MOTION TO
APPR. MIN.
of 9/27 &
10/4

The regular meeting continued with David Lyon making the motion to dispense
with the reading of and approve as submitted the minutes of September 27th, and
October 4th meetings. Motion was seconded by Bruce Wideman and passed with 3
Ayes and no noes.

LEGIBILITY ON ORIGINAL DOCUMENT IS POOR

AFFIDAVIT OF PUBLICATION

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

NOTICE OF FOREIGN
HEARING
PLEASE TAKE NOTICE
that the Town Board of the
Town of Palmyra, New York,
will hold a public hearing on
October 22, 1979, at 7:30 P.M.
in the Town Office, 201
East Main Street, Palmyra,
New York, to consider the
application of Charles J.
Lacour, 325 Park Road,
Palmyra, New York, for a
Special Authorization to
open a home care center at
1231 East Main Road, in the
Town of Palmyra. These
premises are located in an
Agricultural Zone and are
bounded on the north by
lands of the Town of Palmyra,
on the west by lands of Gerald
Devries, on the south by
lands of Gerald Devries and
on the east by the highway.
See last Authorization is
granted under the Town of
Palmyra Zoning Ordinance,
Article 1, Section 1.1.
Paragraph 1.1.1. from
Occupation, Religion and
Art. The application is
subject to the provisions of
Article 1, Section 1.1.
The Town Board will
receive and consider all
objections to the
application at the
hearing. The Town Board
may, at its discretion,
grant or deny the
application.

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

Oct 5, 1979

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 9 day of Oct, 1979
Michael J. Connor
Notary Public

Fee: \$17.08

Communications - The following communications were presented to the Board for their review: (1) An Invitation to attend the Town of Macedon's Dedication Ceremony of the new Town Complex and Open House to be held Sunday, October 28th, 1 - 5 P.M., (2) An Invitation to attend an Open House on Saturday, November 19th, 2 - 4 P.M. at the Palmyra Fire Hall to honor Theresa Otte's 25 years of service to the Village of Palmyra, (3) Letter and literature concerning the Transportation Bond Act, (4) A communication from the New York Telephone Company in regard increasing telephone service - this was referred to Edwin Wheeler for review.

COMMITTEESZONING

Zoning - The Clerk read a note from William Clark advising the Board of his resignation as Chairman of the Zoning Board of Appeals and the election of Harlin Tyler as the new Chairman.

RESIGN. OF
WM. CLARK

The Clerk reminded the Board of the decision in regard to Ralph Alloco's application for a permit to operate a Trailer Park (Valley View Mobil Manor). A motion was made by Bruce Wideman, seconded by David Lyon to table this decision until a full Board is present. Motion passed with 3 ayes and no noes.

MOTION TO
TABLE DEC.
ON TRAIL. PARK
(ALLOCO)

Town Attorney Paul Rubery sent a communication to the Town Board enclosing the opinion requested of the Department of Audit & Control concerning the legality of the vote on Mrs. Hutter's request to place a trailer on property on Route 21. The Department of Audit & Control's opinion is that the Resolution failed. Bruce Wideman requested that Mrs. Hutter be informed that the request is denied. Supervisor Aplin indicated he would notify Mrs. Hutter in regard to the opinion.

ANS. RE:
HUTTER REQ.
D. OF A&C

The Board discussed the public hearing for Richard Finley's application, the hearing was originally to be held on this date, October 25th, but Mr. Finley requested a postponement. At this time, a motion was made by Bruce Wideman, seconded by David Lyon to advertise a public hearing to consider Mr. Finley's application, hearing to be held Thursday, November 29th at 7:45 P.M.. Motion passed with 3 ayes and no noes.

MOTION TO
ADV. PUB.
HRC. (FINLEY)

Assessment - Chairman Bruce Wideman stated there was nothing to report at this time.

ASSESSMENT

Highway - Chairman David Lyon advised the Board that Town Highway Superintendent DeBrine requested that the Town Attorney be reminded about the land turn-back to Clark and Hand - Harris Road.

HIGHWAY
HARRIS RD.

Mr. Lyon also questioned the Board in regard to the work to be done at the Garlock Spring on Division Street by the Town crew. He was advised that the Town Attorney has received the deed to the property and the work can be done.

GARLOCK SPRG

Supervisor Aplin read a letter with a petition enclosed which he received from Albert West, 3017 North Creek Road. The petition declared North Creek Road in the Town of Palmyra as unsafe for travel, reasons for which were listed on the petition which was signed by 128 residents. Supervisor Aplin stated the petition had been presented at the County Board of Supervisors meeting.

PETITION RE
NO. CREEK RD
UNSAFE FOR
TRAVEL

Landfill - Supervisor Aplin reported that he has received no violations from the Department of Environmental Conservation this month.

LANDFILL

Unfinished business - The Clerk read a letter from the Village of Palmyra to Supervisor Aplin concerning the Supervisor and Councilman Wideman conferring with the Village Board on October 15th relative to matters that are of concern to both the Town and Village of Palmyra and suggesting that the Boards have a joint meeting to discuss these matters. The letter indicated that one or two subjects should be chosen to be discussed and Bruce Wideman asked to make a point of clarification - there was no stipulation on the part of any Board member that subjects would be limited to one or two, any or all subjects would be open for discussion. The letter was referred to Committee and will be discussed at the next Board meeting.

UNFIN. BUS

LETTER FROM
VILL. RE:
JT. MTG.

The Clerk read a letter from the East Palmyra Fire Department advising the Town Board that the request to hold two Town Board meetings a year, 1 in April

LETTER FROM
E. PAL. FIRE

LETTER FROM
E. PAL. FIRE
DEPT. RE:
TN. BD. MTGS.

and 1 in October, was presented at the Fire Department's meeting on October 18th by Peter Burn and that the East Palmyra Fire Hall is available for the Town of Palmyra to hold the two Board meetings.

Town Councilman Nelson Cook joined the meeting at this time.

WATER

Water - The Town Board returned to the business of the bids for the Water Services Contract. Supervisor Aplin spoke in regard to the Town Engineer's report made earlier in the meeting. Discussion followed. The following Resolution was offered by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no noes:

RESOLUTION
RE: CONTR.
FOR W. SERV.

BID AWARDED
TO MACEDON LAND-
SCAPING, INC.

WHEREAS, the Town Engineer has recommended that the Contract for the Water services for the East Water District be awarded to Macedon Landscaping, Inc., Macedon, New York, subject to a possible modification of the Contract upon approval of the Chairman of the Water Committee, NOW THEREFORE BE IT RESOLVED, that the Contract be awarded subject to terms contained herein.

The Contract Change Order was discussed and the following Resolution was offered by David Lyon, seconded by Bruce Wideman and passed with 4 ayes and no noes:

RESOLUTION
RE: CONTR.
CHANGE ORDER

WHEREAS, the Town Engineer has recommended that certain change orders be executed with regard to the East Water District, AND WHEREAS, the Board has authorized the execution of said change order, NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute Contract Change Order #1.

After more discussion, the following Resolution was offered by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no noes:

RESOLUTION
TO AMEND ORDER
(LEGAL DESCRIP.)
& ADV. PUBL. HRG.

WHEREAS, it has been discovered that the wrong legal description was affixed to the Order of the Town Board, and which legal description creating the District included all of the proposed District as well as certain additional lands, AND WHEREAS, the order creating the District is hereby amended to correct the description as attached hereto, AND, the Clerk is authorized to file an Amended Order creating the District for the purpose of correcting the District boundaries because all of the advertised District boundaries are within the confines of the Original Order, AND WHEREAS, it was proper to increase the maximum amount to \$125,000 instead of \$94,000, using an approved Grant of \$50,000 from Farm Home Administration, so that the net amount to be raised by taxes is \$75,000, the increased amount will be subject to a Public Hearing to be held at the Town Clerk's Office Thursday, November 29, 1979 at 7:30 P.M. Eastern Standard Time.

DISC. RE: PL.
PIPE AT
CHURCH

Chairman Nelson Cook reported in regard to a letter from Hershey, Malone Associates concerning the installation of plastic pipe at the Assembly of God Church. Mr. Cook met with people representing the Church and informed them that the Town can go along with Hershey, Malone recommendations if the Church will sign an agreement. The Town Attorney will be contacted in regard to preparing an agreement. No further action was taken at this time.

CONSOLIDA-
TION

Consolidation of Town and Village - Nelson Cook asked if the Board had discussed the proposed transfer of property to the Village of Palmyra for Highway facilities. At this time, Mr. Cook offered the motion to transfer to the

MOTION TO
TRANS. PROP.
TO VILLAGE

Village of Palmyra the property to be used for a Village Highway facility with the same conditions as set down before - the Village to take care of proper drainage. Motion was seconded by David Lyon. Under discussion, Supervisor Aplin stated that he wanted the items agreed upon in writing and wanted to be assured of any legalities which might exist. A motion was made by Bruce Wideman, seconded by David Lyon to table this decision until a full Board is present and some advice from the Town Attorney is received. Motion passed with 4 ayes and no noes.

MOTION TO
TABLE DEC-
ISION

MOTION TO
ESTAB. PETTY
CASH FUND-
E. WATER DIST.

In order to establish a Petty Cash Fund for the East Water District, a motion was made by David Lyon, seconded by Bruce Wideman to approve a Transfer of Funds in the amount of \$10.00 from Account #SW 200 to Account # SW 210. Motion passed with 4 ayes and no noes.

ORDER OF TOWN BOARD FOR
PUBLIC HEARING TO CONSIDER
A MOTION TO AMEND THE
EAST WATER DISTRICT
AND TO INCREASE THE MAXIMUM
AMOUNT TO BE EXPENDED IN SAID
EAST WATER 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 petition dated March 12, 1977, in due form 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:

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 Gleason Equipment Inc.; thence (2) continuing southerly along the lands of Gleason Equipment Inc. a distance of 1,619+ feet along the easterly boundary of lands now or formerly of one Clark to a point; thence (3) easterly 700+ feet along the northerly boundary now or formerly of one Sampson and the southerly boundary of Gleason Equipment Inc.; thence (4) northerly along the lands now or formerly of Sampson 973+ feet to an angle in the line of said Sampson; thence (5) easterly along the north boundary of said Sampson 442+ feet to an angle in the line of said Sampson; thence (6) northerly 386+ feet to an angle in the said Gleason Equipment Inc. easterly line as shown in Liber 430 page 273; thence (7) easterly 1,310+ feet along the north line formerly of Sampson to a point; thence (8) southerly along the east line formerly of one Sampson 170+ feet to an angle; thence (9) southerly 224+ feet to an angle in the east line formerly of Sampson; thence (10) southerly 1,378+ feet along the former east line of Sampson to an angle; thence (11) easterly 502+ feet to a point in the land now of one Adams; thence (12) northerly along the lands of one Adams and one Bedette 1,753+ feet to an angle; thence (13) northerly 270+ feet along lands of said Bedette to an angle; thence (14) easterly along the lands of said Bedette 1,560+ feet to the centerline of Vienna Road; thence (15) northerly along the centerline of Vienna Road to its intersection with the centerline of Trolley Road, so called; thence (16) easterly along the centerline of Trolley Road to the southeasterly corner of a parcel of land of approximately 30 acres formerly owned by one Cook now believed to be owned by the Assembly of God; thence (17) northerly on the east line of lands formerly of Cook to a point 300 feet south of the southerly right of way line of New York State Highway Route 31; thence (18) easterly to a point due south of the east line of one P. Johnson as extended southerly; thence (19) northerly and across Route 31 along the easterly line of Johnson to the Barge Canal lands of the State of New York; thence (20) westerly along the southerly boundary of the Barge Canal land 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.

AND WHEREAS, the improvement proposed consists of the erection, construction and maintenance of a water system, including water mains, distributing pipes and hydrants, the supply of water to be purchased from the Village of Palmyra, a municipal corporation, to serve the said district in accordance with certain plans made a part of said petition; and

WHEREAS, the maximum amount proposed to be expended for said improvement as stated in said petition is the sum of \$94,000; and

WHEREAS, because of a grant the Town Board has received sufficient financing to pay for the services, AND WHEREAS, the Town Board of the Town of Palmyra has by resolution increased the maximum amount from \$94,000 to \$125,000,

Page 2

IT IS HEREBY ORDERED a public hearing shall be held by the Town Board of the Town of Palmyra in the Town Office, 204 East Main Street, Palmyra, New York on the 29th day of November, 1979 at 7:30 P.M. Eastern Standard Time, to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board with relation to the said petition as will be required by law or proper in the premises.

Dated: November 12, 1979

By order of the Town Board of the Town of Palmyra

Betty B. Stubbings, Town Clerk

The motion to pay the bills as listed by Funds on Abstract #10A was made by Bruce Wideman, seconded by David Lyon and passed with 4 ayes and no noes. The Funds were listed as follows:

GENERAL FUND	Vouchers #504-523	\$ 4058.96
PART TOWN FUND	" # 73- 75	68.19
FEDERAL REVENUE SHARING FUND	" # 33	5.62
HIGHWAY ITEM I & IA	" # 68-69	569.16
HIGHWAY ITEM III	" #190-199	1625.83
HIGHWAY ITEM IV	" # 47- 49	7366.25
NORTH WATER DISTRICT	" # 41- 42	437.69
SOUTH WATER DISTRICT	" # 34- 35	431.31
EAST WATER DISTRICT	" # 12- 13	40.20
TOTAL		\$14603.21

MOTION TO
PAY BILLS

Mr. Muolo, Attorney for Donald East, spoke to the Board in regard to the hearing before the Zoning Board of Appeals on October 31st. He stated that it would be a hardship for his client and asked that the hearing be re-scheduled. Following some discussion, a motion was made by Bruce Wideman to cancel the hearing (Zoning Board of Appeals) on October 31st and to re-schedule the hearing for the regular meeting night, November 20th at 8:00 P.M. subject to approval by the Zoning Board of Appeals with the stipulation that the hearing be held no later than November 20th. Motion was seconded by David Lyon and passed with 3 ayes - Bruce Wideman, Nelson Cook and David Lyon voting aye and 1 no - Roy Aplin voting no.

MOTION TO
RE-SCHEDULE
ZON. BD. MTC.

The motion to close this meeting was offered by Bruce Wideman, seconded by Nelson Cook and passed with 4 ayes and no noes.

MOTION TO
CLOSE MTC.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

November 8, 1979

REGULAR
MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. on Thursday, November 8, 1979 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, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were: Harold Smith, Margaret DeNeef and Roy Wilck.

PUB. HRG.
APPLIC. OF
H. SMITH
FOR SPEC.
AUTHOR.

The Public Hearing scheduled for 7:30 P.M. on this date to consider the application of Harold Smith, Route 31 in the Town of Palmyra, was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. Mr. Smith was present and came before the Board at this time to discuss his application for Special Authorization to use present buildings and a proposed addition for a wood shop (tables, lawn furniture, firewood, equipment and storage) on property located in an Agricultural Zone on Route 31 in the Town of Palmyra. The Board members questioned Mr. Smith in regard to (1) his proposed business, in particular, the amount of traffic involved, (2) the proposed addition, (3) the kind of storage, and (4) where his residence is located, at the site or elsewhere. The request was brought before the Town Board for the use of land, but if the application is approved, Mr. Smith will also have a hearing before the Zoning Board of Appeals because of line set-backs. Supervisor Aplin declared the hearing closed. Bruce Wideman made the motion that the request of Harold Smith for Special Authorization be approved. The motion was seconded by Edwin Wheeler and passed with 4 ayes and no noes.

HRG. CLOSED
MOTION TO
APPROVE
SMITH RE-
QUESTPUBLIC HRG.
USE OF GEN.
REV. SHAR.
FUNDS

The Public Hearing scheduled for 7:45 P.M. to consider the expenditures of General Revenue Sharing Funds estimated to be \$40,000 for the year 1980 was opened by Supervisor Aplin. The Public Notice was read by the Clerk and indicated budgeted use of \$10,000 for Environment Protection and \$30,000 for Public Safety. No one appeared in favor of or opposed to the budgeted use of the General Revenue Sharing Funds for 1980. The hearing was closed by Supervisor Aplin.

HRG. CLOSEDCOMMUNICA-
TIONS

Communications - The following communications were presented to the Board for their review: (1) A letter and manual from Agricultural Resources concerning Agricultural Districts. The information was referred to David Lyon for study (2) A reminder of the Open House to be held Saturday, November 10th for Theresa Otte (3) A Memo from Wayne County Real Property Tax Service in regard to procedure for unpaid water and sewer bills.

PUBLIC HEARING
ON PRELIM.
BUDGET

The Public Hearing scheduled for 8:00 P.M. to review the Preliminary Budget for the year 1980 was opened by Supervisor Aplin to hear anyone who wished to speak in favor of or opposed to said budget. The Clerk read the Proof of Publication. Supervisor Aplin stated that he wished to make clear that the raises for the Supervisor and Town Councilmen were meant for a 2 year period. Bruce Wideman stated that he had some people questioning the cost of fire protection in the Palmyra Fire Protection District, the amount has doubled in 5 years. Roy Wilck, a member of the East Palmyra Fire Department, reminded the Board that the cost for fire protection in the East Palmyra Fire Protection District has not been raised but he also stated that the cost of equipment has doubled in just a few years time. Town Councilman David Lyon joined the meeting at this time. A Petition, attached to these minutes, was presented to the Board and read by the Clerk. The petition from the Village of Palmyra requested the Town Board of the Town of Palmyra to exempt all property in the Village of Palmyra from the levy and collection of taxes for Items III and IV of the Town

AFFIDAVIT OF PUBLICATION

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



.....Rosalie J. Moulton....., 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-2, 1979.....

.....*Rosalie J. Moulton*.....
Foreman of the Publisher

Subscribed and sworn to before me

this 5 day of Oct 1979

.....*Michael J. Johnson*.....
Notary Public

Fee: \$17.08

AFFIDAVIT OF PUBLICATION

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

NOTICE OF
PUBLIC HEARING
ON GENERAL REVENUE
SHARING FUNDS
PUBLIC NOTICE IS
HEREBY GIVEN that the
Town Board of the Town of
Palmyra will hold a public
hearing on the considered
Expenditures of General
Revenue Sharing Funds
estimated to be \$40,000 for
the year 1979 with budgeted
use of \$10,000 for Ten
Common Education and
400 other Public Safety.
The hearing will be held
in the Town Office at 100 East
Main Street, Palmyra, New
York, on Thursday, October 24, 1979
at 7:00 PM. All persons
interested will be heard.
Dated at Palmyra, New
York, October 23, 1979.
By order of the Town
Board of the Town of
Palmyra
Burt D. Slubbing, Town
Clerk
(215) 10-20

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

October 26, 1979

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 5 day of Oct 1979

Michael J. Brown
Notary Public

Fee: \$11.59

81

AFFIDAVIT OF PUBLICATION

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

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

October 26, 1979

Rosalie J. Manton
Foreman of the Publisher

Subscribed and sworn to before me

this 5 day of Oct 1979

Notary Public

Fee: \$18.30

81

CHARLES MALOQUIA

Findings of Fact

1. That the premises are currently a single-family residence in an agricultural zone.
2. That the lot area was as per diagram attached to the application.
3. That the premises are not designed for a day care nursery.
4. That the application made no proposal for the handling of traffic, water supply and septic tank waste nor did it discuss the adequacy of existing systems.
5. The applicant presented no plans for remodeling the premises to make the premises safe for use by small children by way of exits and emergency exits.

Conclusions of Law

6. That the proposed plan did not demonstrate that it was in harmony with the neighborhood.
7. That the applicant showed no hardship.
8. That the proposed plan was not a permitted use under zoning.
9. That there was not sufficient safeguards for the clients of the nursery and for the people visiting the site.

Therefore, be it resolved that the application is hereby denied.

State of New York
Village of Palmyra
Town of Palmyra

In the Matter of the Petition of the Deputy Mayor, Board of Trustees and property owners of the Village of Palmyra requesting the Town Board of the Town of Palmyra to exempt all property in the Village of Palmyra from the levy and collection of taxes for items 3 and 4 of the Town Highway Budget as authorized by Section #277 of the Highway Law.

PETITION

TO THE HONORABLE SUPERVISOR AND MEMBERS OF THE TOWN BOARD OF THE TOWN OF PALMYRA.

The petition of the Deputy Mayor, Board of Trustees of the Village of Palmyra and the undersigned property owners and residents of the Village of Palmyra respectfully shows and states:

1. That the Village of Palmyra is within the Town of Palmyra.
2. That the Town of Palmyra annually levies and collects taxes against real property within the Village of Palmyra to pay for items provided for by subdivisions 3 and 4 of Section 141 of the Highway Law.
3. That taxes levied and collected against real property within the Village of Palmyra for subdivision 3 of Section 141 of the Highway Law are used for the purchase, repair and custody of highway machinery, tools and implements used on town highways, which highways are located outside the village limits.
4. That taxes levied and collected against real property within the village of Palmyra for subdivision 4 of Section 141 of the Highway Law are used for the removal of snow, the cutting of brush and for other miscellaneous items relating to town highways outside of the village limits.
5. That the Village Law provides that the Village of Palmyra shall be responsible for the maintenance of village streets, for the purchase of machinery and equipment to be used on village streets and for the removal of snow and the cutting of brush and other miscellaneous items relating to village streets.

Petition

2/

6. That the Legislature of the State of New York has provided by law a procedure whereby a Town Board may exempt real property owners in villages from taxes levied by towns for items 3 and 4 of the Town Highway Budget.
7. That such authority to exempt real property owners in villages from such town highway taxes was granted to town boards by the State Legislature in recognition of the unjust double burden of taxation paid by village real property owners for the maintenance of highways.
8. That, on information and belief, none of the money levied for the removal of snow from town highways by the town government has been used for the removal of snow from village streets.
9. That, on information and belief, none of the highway machinery and equipment purchased and maintained by the town from taxes levied pursuant to the provisions of the Highway Law have been used for work on village streets but such machinery and equipment is used exclusively on town streets outside of the village.
10. That, by reason of the premises herein set forth and alleged, taxes are twice levied and collected against property in the Village of Palmyra for highway machinery and equipment, for snow removal and for brush removal and the village real property owners receive only benefits for those taxes levied and collected by the Village of Palmyra and receive no benefits from taxes levied and collected by the Town of Palmyra.

WHEREFORE, the petitioners pray that, pursuant to the provisions of Section 277 of the Highway Law, the Town Board of the Town of Palmyra exempt all property within the Village of Palmyra from the levy and collection of taxes levied in such town provided for by subdivisions 3 and 4 of Section 141 of the Highway Law beginning with the Fiscal Year commencing January 1.

DEPUTY MAYOR AND BOARD OF TRUSTEES
VILLAGE OF PALMYRA

Donald C. West
Donald C. West
Donald C. West
Donald C. West

VILLAGE RESIDENTS AND/OR PROPERTY OWNERS

Name
Donald C. West
Donald C. West
Donald C. West
Donald C. West

Address
202 Ogden St. Palmyra N.Y.
220 7th St. Palmyra N.Y.
115 4th St. Palmyra N.Y.
350 Langdon St. Palmyra N.Y.

Highway Budget as authorized by Section #277 of the Highway Law. Town Councilman Edwin Wheeler asked what had been allowed for the Library for 1980 and was informed that it was \$7,000, same as last year. Supervisor Aplin again asked if there was anyone who wished to speak for or against the Budget. There being none, the hearing was closed at 8:28 P.M..

87
BUDGET
HEARING
CONT'D
HRG. CLOSED

The regular meeting was re-opened and the Board turned their attention to Committee reports.

COMMITTEES

Committees -

Zoning - Mrs. Margaret DeNeef spoke to the Board in regard to some possible dumping across from her residence on Route 21 - A & B Roadways trucks loaded with broken-up black top were across the road at a drive but she couldn't report that the black top was actually dumped. Mrs. DeNeef stated that she called Mr. Rubery. Supervisor Aplin requested Zoning Officer Toole to check on this matter. Discussion followed.

ZONING
POSSIBLE
DUMPING
ON RT. 21

Town Attorney Paul Rubery reported that he had been served with an order in regard to the Pechler application which requested Special Authorization to obtain a liquor license. The Supervisor reported that he, too, had been served.

ORDER RE:
PECHLER
APPLICATION

A motion was made by Bruce Wideman, seconded by Edwin Wheeler to approve the permit of Ralph Alloco to operate a Mobil Home Park - Valley View Manor on South Townline Road, expiration of said permit is December 31, 1979. Motion was passed with 5 ayes and no noes.

MOTION TO
APPR. ALLOCO
PERMIT FOR
TRL. PARK

Bruce Wideman reported that after reviewing Charles LaLoggia's request to operate a Day Care Center in a residence on Parker Road, his recommendation would be to deny the request. Mr. Wideman made the motion that Charles LaLoggia's application for Special Authorization to operate a Day Care Center in a residence on Parker Road be denied as inappropriate in an Agricultural District. Motion was seconded by David Lyon. Under discussion, Supervisor Aplin stated that he also felt it should be denied - he didn't feel that this proposed Day Care Center as described could be considered a Home Occupation. Motion passed with 5 ayes and no noes.

MOTION TO
DENY RE-
QUEST OF
C. LALOGGIA
(DAY CARE CT)

An application by Anthony Lisai, new owner of the Northside Restaurant, for Special Authorization to extend a non-conforming use was presented to the Board. A motion to refer this application to the Planning Board for recommendations and to advertise for a Public Hearing on this application to be held November 29th was offered by Bruce Wideman, seconded by David Lyon and passed with 5 ayes and no noes.

LISAI AP-
PLICATION
MOTION TO
REFER TO PL.
BD. & ADV.
FOR PUBLIC

The Board was reminded of a notice to be placed in the Courier-Journal for applicants for a Zoning Board of Appeals member to replace Judson Roney who is resigning December 31, 1979.

Bruce Wideman reported that he and Town Attorney Paul Rubery had made a combined effort to prepare a Proposed Sanitary Code for the Town of Palmyra. A motion was made by Mr. Wideman to refer the proposed code to the Planning Board for study, review and recommendations to the Town Board. Motion was seconded by Nelson Cook and passed with 5 ayes and no noes.

PROP. SAN.
CODE
MOTION TO
REFER TO PL.
BD.

Town Attorney Paul Rubery reported on the SEQRA review for Richard Finley's request for a permit from the NYS Dept. of Environmental Conservation to land spread septic tank waste on property in the Town of Palmyra. Mr. Rubery advised the Board to return and reject the review papers as incomplete, the questions weren't answered fully and an environmental review can't be made from the information given - a copy should go to the Dept. of Environmental Conservation. Mr. Finley is currently operating without a permit from the Town and State. A Public Hearing before the Town Board will be held November 29th for Mr. Finley's application for Special Authorization to use land in an Agriculture Zone to land spread septic system waste.

REPORT &
DISC. RE:
R. FINLEY'S
REQ. FOR A
PERMIT

ASSESSMENTRESOLUTION
RE: PROPERTY
DEEDED TO
VILLAGE FOR
HWY. FACILITIES

Assessment - Bruce Wideman moved that the following Resolution be adopted:

BE IT RESOLVED, that a parcel of land comprising an area of 1.640 acres, according to a survey made by Harnish & Lookup Associates on March 7, 1973 and being a portion of premises conveyed by Albert & Della Cole, to the Town of Palmyra by deed dated May 14, 1962 and recorded in the Office of the Wayne County Clerk in Liber 505 of Deeds at page 530, be hereby declared surplus and,

BE IT FURTHER RESOLVED, that the above mentioned parcel of land comprising an area of 1.640 acres be deeded to the Village of Palmyra under the following conditions:

1. The premises are to be used for the location of a highway building and related purposes and uses. No other use shall be permitted without first obtaining the consent of the Town of Palmyra.

2. Proper drainage is to be provided by the Village of Palmyra which will include the conveying of the water from an open ditch in the rear of the William Kaveny property, thence generally North along the above mentioned Kaveny West property line to open ditch North of Kent Street. The method of conveyance shall be inground pipe.

3. In the event of the sale of the premises or condemnation; the land value included in the sum received from such sale or condemnation, shall become the property of the Town of Palmyra.

MOTION TO
ADOPT RESOL.

The motion to adopt the above Resolution was seconded by Edwin Wheeler. Under discussion, Supervisor Aplin questioned the legalities involved. Town Attorney Rubery reported that he and the Village Attorney had discussed the drainage problem and Bruce Wideman reported in regard to the same problem. The map of the property involved was checked by the Board and the Town Attorney stated he would contact Harnish & Lookup before proceeding with the deed. The motion to adopt the Resolution was passed with 5 ayes and no noes.

NOTICE RE:
TAX EXEMPT.
SR. CIT.

Mr. Wideman reported that the Assessor is giving notice to Senior Citizens in regard to tax exemptions. Councilman David Lyon spoke concerning the legalities in some instances, possibly, a tax rip-off, on Senior Citizens tax exemptions. Mr. Wideman said he would review the matter with the Assessor.

HIGHWAY
TN. CREW
CLEANED LOT
MEADOW DR.

Highway - The Clerk reported that the Town Highway Superintendent wished to advise the Board that the Town Crew cleaned up the vacant lot on Meadow Drive and a bill was presented in the amount of \$99.16. The Town Attorney advised that the owner should be billed for the work done and if there is no response, the amount can be added to Town taxes.

GARLOCK SPRG.

The Town Highway Superintendent also has done the necessary work at the Carlock Spring on Division Street.

MOTION TO
APPR. AGREE.
TO SPEND HWY
FUNDS.

The motion to approve the "Agreement to Spend Town Highway Funds" as submitted by Mr. DeBrine for Parker Road and Palmer Road was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no noes.

HARRIS RD.

Chairman David Lyon requested that the Town Attorney move along on the legal work to abandon a section of highway on Harris Road.

PETITION RE:
N. CREEK RD.

Supervisor Aplin spoke in regard to the Petition presented to the Wayne County Board of Supervisors concerning the conditions of North Creek Road.

LANDFILL
VIOLATION

Landfill - Supervisor Aplin reported that another Violation has been received from the Department of Environmental Conservation as a result of an inspection made on October 26th.

WATER

Water -

EAST WATER
DISTRICT

East Water District - Chairman Nelson Cook reported that he understood approval has been received from Farm Home Administration on the bid for Water services and work will start later this month.

Town Attorney Paul Rubery spoke to the Board concerning the need for some Resolutions for the East Water District.

RESOLUTION
INCURRENCE
OF INDEBTEDNESS
& FINANCING

The following Resolution was offered by Councilman Edwin Wheeler, who moved its adoption, seconded by Councilman Nelson Cook to wit:

A RESOLUTION PERTAINING TO THE INCURRENCE OF INDEBTEDNESS AND FINANCING OF THE ROUTE #31 EAST WATER DISTRICT IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK

WHEREAS, the Town Board of the Town of Palmyra, New York has determined that it is necessary for said Town to incur indebtedness for the purpose of providing a portion of the cost of improvements in the Route #31 East Water District to serve an area lawfully within its jurisdiction to serve; and

WHEREAS, the Town of Palmyra intends to obtain assistance from the Farmers Home Administration, United States Department of Agriculture, in the planning, financing and supervision of such undertaking by issuance of its bonds in the principal amount of \$125,000.

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

Section 1. The Supervisor and Town Clerk are hereby authorized to execute and deliver any and all documents in connection with the application by the Town of Palmyra, Wayne County, New York to the Farmers Home Administration for water fund indebtedness in the amount of \$125,000.

The motion to adopt the foregoing resolution was passed with 5 ayes and no noes.

The following Resolution was offered by Councilman Edwin Wheeler who moved its adoption, seconded by Councilman Nelson Cook, to wit:

RESOLUTION
AUTHOR. CONST.
OF WATER SYS.
& ISSUANCE
OF BONDS

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A WATER DISTRIBUTION SYSTEM TO SERVE PALMYRA EAST WATER DISTRICT IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK, AND AUTHORIZING THE ISSUANCE OF \$125,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 12 of the Town Law, the Town Board of the Town of Palmyra, Wayne County, New York, has duly established Palmyra East Water District in said Town; and

WHEREAS, it is now desired to authorize the construction of the improvements proposed for said Water District and provide for the financing thereof in accordance with said proceedings;

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

Section 1. The construction of the improvements proposed for Palmyra East Water District in the Town of Palmyra, Wayne County, New York consisting of a water distribution system, including water mains, distributing pipes and hydrants, with appurtenant facilities, substantially in accordance with the map and plan accompanying the petition for said District, is hereby authorized at a maximum estimated cost of \$125,000.

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$125,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Palmyra, Wayne County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same become due and payable. There shall annually be assessed upon all the taxable real property in said Palmyra East Water District at the same time and in the same manner as other Town charges an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provision of the Local Finance Law.

Section 6. The validity of such bonds may be contested only if:

- 1) Such bonds are authorized for an object for purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such bonds are authorized in violation of the provisions of the Constitution.

Section 7. This resolution, which takes effect immediately, shall be published in full in Palmyra Courier-Journal, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

RESOLUTION
TO ADV. FOR
PUB. HRG.
ON INCREASE
OF MAX. AMT.

The following Resolution was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos:

WHEREAS, the maximum amount proposed to be expended for the East Water District is the sum of \$94,000; and

WHEREAS, because of a grant the Town Board has received sufficient financing to pay for the services,

AND WHEREAS, the Town Board of the Town of Palmyra has by resolution increased the maximum amount from \$94,000 to \$125,000,

IT IS HEREBY ORDERED, a public hearing shall be held by the Town Board of the Town of Palmyra in the Town Office, 204 East Main Street, Palmyra, New York on the 29th day of November 1979 at 7:30 P.M. Eastern Standard Time, to consider said increase from \$94,000 to \$125,000.

LETTER FROM
DEPT. OF H.
RE: APPR. OF
PLANS

Supervisor Aplin submitted a letter from the New York State Department of Health, Geneva, N.Y. in regard to the approval of Water supply plans for the Route 31 East Water District.

2ND INFO.
LETTER

The Board discussed with the Town Attorney the 2nd Informational letter to be sent to residents in the Route 31 East Water District.

METER VAULTS

Chairman Nelson Cook reported that a proper location for the Meter vault for the North Water District is still being worked out. He also reported that the Meter and vault for the South Water District are completed.

JT. REG. COMM.
PAL. COMM. PK.

Joint Recreation Commission - A letter from Robert Scott, Sr. Environmental Analyst, Regulatory Affairs, N.Y.S. Department of Environmental Conservation at Avon in regard to the proposed Palmyra Community Park was read by the Clerk.

BUDGET
MOTION TO
ADOPT
BUDGET

Budget - A motion was made by Bruce Wideman, seconded by Nelson Cook that the Preliminary Budget of 1980 as presented at the Public Hearing be approved. Under discussion, Edwin Wheeler questioned how the Board resolved the matter of cost of rent for the office. Motion passed with 4 ayes and 1 no - Edwin Wheeler voting no.

DISC. RE:
CAP. RES. FUNDS

Supervisor Aplin, at this time, spoke to the Board concerning the fact that over the years at Budget time, he had recommended placing monies in a Capital Reserve Fund for a Landfill or Transfer Station and for a Town Hall. He strongly feels that the people will get hit hard with a Bond issue for a Town Hall. Federal Revenue Sharing is expected to end next year. Mr. Aplin stated that with the funds now on hand, anticipated funds and designated use of some of the funds, there will be approximately \$77,000 at the end of 1979.

MOTION TO
ESTABLISH CAP.
RES. FUNDS
LOST

A motion was made by Supervisor Aplin, seconded by Bruce Wideman to establish a Capital Reserve Fund in the amount of \$25,000 for a Landfill or a Transfer Station, and a Capital Reserve Fund in the amount of \$25,000 for a Town Hall. Lengthy discussion followed with some of the Board members stating that they felt the amount was too great although they agreed with the principle. Once a Capital Reserve Fund is set, the funds must be used for the designated Capital project. The motion was lost with the following vote, Bruce Wideman and Roy Aplin voting aye, Edwin Wheeler, Nelson Cook and David Lyon voting no. More discussion followed. A motion that the Town of Palmyra set aside in a Capital Reserve Fund \$5,000, maximum of \$75,000 for Refuse Disposal and \$5,000, maximum of \$200,000 for Housing facilities was offered by Bruce Wideman, seconded by David Lyon and passed with 4 ayes and 1 no - Roy Aplin voting no. Mr. Aplin stated that he couldn't support this motion because the funds were not sufficient.

MOTION TO
ESTAB. CAP.
RES. FUNDS
PASSED

UNFIN. BUS.

Unfinished business - Bruce Wideman spoke to the Board in regard to the letter from the Village of Palmyra concerning the joint meeting of the Town and Village Boards. He stated that it was his opinion a letter should be written in reply suggesting some subjects to be discussed and an effort should be made to set a time in December for such meeting. Supervisor Aplin suggested that the joint meeting be held in January, and Edwin Wheeler agreed - also stating that the number of subjects should not be limited. Following discussion, Bruce Wide-

JT. MTG. W/
VILLAGE

AFFIDAVIT OF PUBLICATION

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

TOWN OF PALMYRA
NOTICE IS HEREBY
GIVEN that the Town Board
of the Town of Palmyra at
regular Town Board
meeting on November 9
1979 adopted a Resolution
establishing a Capital
Reserve Fund in the amount
of \$5,000 maximum for
\$75,000 for Refuse Disposal
and a Capital Reserve Fund
in the amount of \$5,000
maximum of \$200,000 for
Housing Facilities.
The establishment of
Capital Reserve Funds is
subject to a Permissive
Referendum based upon
petition being filed with the
Town Clerk within 30 days
of the date of this notice. If
no petition is filed for
Permissive Referendum, the
Capital Reserve Funds will
become effective.
By Order of the
Town Board of the
Town of Palmyra,
Betty B. Stubbings,
Town Clerk
Dated 11/14/1980
(274) (J11)

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

Jan. 11, 1980

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 11 day of Jan 1980

Michael J. [Signature]
Notary Public

Fee: \$ 10.98

5/

man suggested that Edwin Wheeler, Chairman of the Consolidation Committee, contact the Village of Palmyra in regard to a meeting in January.

Cable T.V. - Supervisor Aplin requested Town Attorney Paul Rubery to update the Board on the status of the Cable T.V. negotiations. Mr. Rubery reported that in spite of the Town's objections, the Commission on Cable T.V. notified the Town of Palmyra that it had approved a transfer of franchises from Information Transfer to Wayne County Cablevision. Following discussion, a motion was made by Edwin Wheeler, seconded by David Lyon to send a letter and make a request that prior to any permanent grant of franchises in Palmyra: (A) That Wayne County Cablevision be required to account and pay over to the Town of Palmyra all franchise fees which were collected from residents of the Town of Palmyra, subscribers for service since 1972, all prior to January 1, 1980. (B) That the temporary permit be terminated if the above accounting and any payments determined to be due are not completed by January 1, 1980. Motion passed with 5 ayes and no noes.

CABLE TV
MOTION TO
REQUEST
FEES BE
PAID

Bingo - A motion to approve the application of Palmyra Memorial Post #6778 VFW for a Bingo License was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no noes.

MOTION TO
APPROVE
BINGO LIC
V F W

Games of Chance - A brief discussion was held on problems non-profit organizations have been having in regard to Games of Chance regulations.

Supervisor Aplin requested Town Attorney Rubery to prepare the following Contracts for 1980: Palmyra Community Center - \$8750, Palmyra Emergency Volunteer Ambulance Service - \$4500, Palmyra Kings Daughters Free Library - \$7,000.

David Lyon spoke to the Board concerning numerous dog problems which the Town has had recently and he stated there possibly would be more after the first of the year. He suggested the Board meet with Harold Fisher, Dog Warden at the next meeting and the Clerk was requested to contact Mr. Fisher in regard to a convenient time.

DOG
PROBLEMS

The following Transfers of Funds were approved by motion offered by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no noes:

MOTION TO
APPR. TRANS
OF FUNDS

From Personal Services Acct. No. A 1110.1 to Contractual Expenses Acct. No. A 1110.4 - \$355.84
From Personal Services Acct. No. A 1355.1 to Contractual Expenses Acct. No. A 1355.4 - \$273.82
From Contingent Acct. No. A 1990.4 to Town Clerk Deputy Acct. No. A 1410.2 - \$197.25
From Contingent Acct. No. A 1990.4 to Traffic Control Acct. No. A 3310.4 - \$123.00
From Contractual Expenses Acct. No. DM 5130.4 to Personal Services Acct. No. DM 5130.1 - \$.01

Nelson Cook reported he had met with Water Superintendent Harold Kruger in regard to salary for 1980. Mr. Kruger had requested \$2400 but accepted \$1200 for 1980 with the stipulation that there would be an increase of \$600 a year for 3 years.

WATER
SUPER.
SALARY

The motion to pay the bills as listed on Abstract 10B and Abstract 11 was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no noes. The bills were listed by Funds as follows:

MOTION TO
PAY BILLS

Abstract # 10B -
General Fund - Vouchers # 524-538 \$4844.25, Part Town Fund - Vouchers #76 - \$43.88
Federal Revenue Sharing - Vouchers #34 - \$1000.00, Highway Item III - Vouchers #200 - \$3329.01

Abstract # 11 -
General Fund - Vouchers #539 - 591 \$3445.00, Part Town Fund - Vouchers #77-79 \$657.10, Federal Revenue Sharing - Vouchers #35-37 \$1411.59, Highway Item I - Vouchers #70 \$117.70, Highway Item III - Vouchers #201-214 \$1774.44, Highway Item IV - Vouchers #50-51B \$638.63.

The motion to adjourn this meeting to November 29th was made by Nelson Cook, seconded by David Lyon and passed with 5 ayes and no noes.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

November 29, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened by Supervisor Aplin at 7:30 P.M. on Thursday, November 29, 1979 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 Roy Aplin, Town Councilmen Bruce Wideman, Edwin Wheeler and Nelson Cook, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons or those having business to come before the Board were: Frederick Trowbridge, Anthony Lisai, Frederick Tinney and Steve Jackson of the Courier-Journal.

PUBLIC HEARING
RE: AMENDING
ORDER & INCR.
MAX. AMT. -
EAST WATER
DISTRICT

The Public Hearing scheduled for 7:30 P.M. on Thursday, November 29, 1979 for the purpose of amending the order for the East Water District and increasing the maximum amount to be expended for the East Water District was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. No one appeared to speak in favor of or opposed to the amended order and increase. Supervisor Aplin declared the hearing closed at 7:40 P.M..

PUBLIC HEARING
R. FINLEY
ADJOURNED

The Public Hearing scheduled for 7:45 P.M. on Thursday, November 29, 1979 for the purpose of hearing the application of Richard Finley for Special Authorization on use of land was adjourned by mutual consent of Mr. Finley's attorney Sam Bonafede and Town Attorney Paul Rubery. A letter from Mr. Bonafede in regard to the request for adjournment was read by the Clerk. A future date for the hearing was not set at this time. The Clerk advised the Board that all except 2 of the neighbors who had been notified of the hearing by letter, had been reached by phone. Supervisor Aplin asked that the 2 who had not been contacted by phone be sent letters advising of the adjournment.

COMMUNICATIONS

Communications -

The following items of communications were presented to the Board for their review: (1) a letter from the Humane Society of Rochester and Monroe County concerning Section 114 and 114A of old Article 7 of the Agriculture & Markets Law of New York State. A brief discussion followed. (2) The Palmyra Emergency Volunteer Ambulance Service proposed budget for Fiscal year October 1, 1979 - September 30, 1980. (3) A letter from the Automatic Voting Machine Corporation of Jamestown, New York in regard to the 1980 election year and the need for additional Voting Machines, service, election supplies and instructions to custodians and Election inspectors. The Clerk was requested to send copies of this communication to both Voting Machine Custodians.

MOTION TO
APPROVE MIN.
10/11, 10/25
& 11/8

A motion was made by Edwin Wheeler, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of October 11th, October 25th and November 8th. Motion passed with 4 ayes and no noes. The Supervisor stated that it should be brought to the Board's attention that under an amendment to the Open Meetings Law, effective October 1, 1979, the minutes have to be available within 2 weeks from the date of the meeting.

COMMITTEES

Committees -

ASSESSMENT

Assessment - Chairman Bruce Wideman reported to the Board concerning a reduction in the total assessment of the Town of Palmyra which will have a very slight effect on the taxes.

1980 CENSUS

Supervisor Aplin read a communication from the Bureau of Census concerning information on the census to be taken in April of 1980. The Board discussed this up-coming project and Supervisor Aplin referred the information to Town Councilman Edwin Wheeler for review.

Town Councilman David Lyon joined the meeting at this time.

ZONING
SANITARY
CODE

Zoning - Bruce Wideman spoke to the Board in regard to a Proposed Sanitary Code for the Town of Palmyra. He stated that the Town Attorney has made suggestions

and the proposed code has been referred to the Planning Board for review. The Planning Board will submit additions, suggestions and recommendations to the Town Board. Mr. Wideman went over the proposed code briefly and some sections were discussed by the Board. The Board also discussed holding a Public Hearing in December on this code as a Proposed Local Law. A motion was made by Bruce Wideman, seconded by Nelson Cook to advertise for a Public Hearing on Proposed Local Law entitled "The Sanitary Code of the Town of Palmyra" - hearing to be held on Thursday, December 27, 1979 at 8:00 P.M. Motion passed with 5 ayes and no noes.

PROF.
SANITARY
CODE
CONT'D

MOTION
TO ADV.
PUBLHRG

The Public Hearing scheduled for 8:15 P.M. on Thursday, November 29, 1979 in the Town Office to consider the application of Anthony Lisai (Northside Restaurant) for Special Authorization to extend a non-conforming, pre-existing use in an Agricultural Zone was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. Mr. Fred Tinney, representing Anthony Lisai and Fred Trowbridge, came before the Board to discuss the request for Special Authorization to build an addition on the existing Northside Restaurant on Route 21 (Palmyra-Marion Road). Mr. Tinney reviewed the plans for the proposed addition with the Board. David Lyon indicated that a major concern of the Board was the amount of space for the parking of cars. In October, a petition by residents of North Creek Road was presented to the Town Board citing unsafe conditions in that area. Both Mr. Tinney and Mr. Trowbridge spoke to the Board on the possibility of acquiring a stretch of abandoned State Highway which is directly in back of the property involved. A copy of a letter from Mr. Trowbridge to the State of New York was presented to the Board. This was the request for the abandoned highway. However, the paperwork on this request, if approved, would probably take a year. Supervisor Aplin questioned the size of the proposed addition and inquired about the sanitary system - how large a leach area and could it take care of additional customers. The applicants are assuming the system will take care of an increase in the number of people. Bruce Wideman asked if the applicants had an alternative plan in case the State property is not available. Mr. Trowbridge stated that he was quite sure he could purchase some land from Wilson VanHaneghan. The Board discussed at length with Mr. Tinney and the applicants the addition and the number of people who could be accommodated, the possible acquisition of the State property and the serious problems of insufficient parking space and inadequate septic system both of which would create unsafe conditions. Mr. Trowbridge indicated he would be willing to contact the New York State Department of Transportation in Syracuse again because Mr. Cook stated that he thought the Town would be reluctant to approve this request without a commitment or a letter of intent concerning the State property. The hearing was closed at 8:48 P.M..

PUBLHRG
OPENED
(LISAI)

HEARING
CLOSED

The Annual Permit for owners of Mobile Home Parks was discussed and the Clerk asked for some direction from the Board considering the Park owners are now operating under the new Mobile Home Park Ordinance. A revised Permit with a list of sections which can be waived by owners of pre-existing parks was reviewed by the Board and the decision was made to extend the return date to January 15, 1980 in order to give park owners sufficient time to comply with the new Ordinance.

ANN. PERM.
M.H. PARKS

Town Attorney Paul Rubery joined the meeting at this time.

Harold Fisher, Dog Warden of the Town of Palmyra, came before the Board to discuss present dog problems and the new New York State Dog Law which will be in effect January 1, 1980. Items discussed included - present dog problems, lack of a Dog Ordinance in the Town, night quarantines, need for an assistant in order to offer 24 hour service, disposal problems, shelter facilities, expenses involved and suggestions to improve service to the people of the Town and Village. Mr. Fisher was requested to submit an outline on expenses and some Budget figures for operating costs in 1980.

DISCUSSION
W/DOG WARDEN

94
ZONING
LISAI
REQUEST
MOTION TO
DENY RE-
QUEST

The Board returned to Zoning and the decision concerning the request of Anthony Lisai for Special Authorization to extend a pre-existing use. A motion was made by Edwin Wheeler to deny the Special Authorization until such time as the land acquisition is approved and, if the property is acquired, a licensed professional engineer or land surveyor will file with the Town of Palmyra a certification stating there are adequate sanitary facilities for 80 or more people. Motion was seconded by David Lyon and passed with 5 ayes and no noes. See attached Findings of Fact and Conclusions of Law.

PECHLER
APPLICATION

Town Attorney Paul Rubery reported to the Board on the Pechler application. Attorney Morell has contacted the Town Attorney in regard to meeting with the Town Board at which time the Town can present the Findings of Fact and Conclusions of Law as directed by the Court and can allow the attorneys to sum up and there would be no need to re-advertise for a hearing. The Board discussed this matter and decided, in fairness to the people who presented the petition, a new hearing should be set and advertised. Nelson Cook requested the Town Attorney to contact the Liquor Board about the types of licenses which can be issued. A motion was made by Bruce Wideman, seconded by David Lyon to advertise for a Public Hearing on Arnold Pechler's request for Special Authorization - hearing to be held January 10, 1980 at 8:00 P.M.. Motion passed with 5 ayes and no noes.

MOTION TO
ADV. PUB. HRG.

R. FINLEY'S
REQUEST

The Board also discussed with the Town Attorney, the status of Richard Finley's request for Special Authorization. The hearing to be held at this meeting was adjourned.

HIGHWAY
HARRIS RD.

Highway - Chairman David Lyon reported that he had called Wayne County Highway Superintendent Rice in regard to the work at Harris Road and North Creek Road.

WATER

RULES & REG.
WATER DIST.

Water - The revised Rules and Regulations for Water Districts in the Town of Palmyra were discussed. Before publishing, the Town Attorney advised the Board to review the schedule of rates and to consider raising the rates to cover additional expenses the Town now has - (billing, collecting, postage, supplies, etc.)

EAST WATER
DISTRICT

Chairman Nelson Cook reported that a break in the East Water District line had been located and repaired. The Contractor's Bond covers any damages caused by the break.

MOTION TO
ADOPT RESOL.
TO AMEND ORDER
& INCR. MAX.

Edwin Wheeler made the motion, seconded by Bruce Wideman to adopt the Resolution to amend the East Water District and to increase the maximum amount to be expended in said East Water District. See attached Resolution.

LANDFILL

Landfill - Supervisor Aplin reported that a Notice of Violation has been received from the Department of Environmental Conservation and a general discussion followed.

MOTION TO
SET UP
GLASS RECL.
CTR. AT LDFL

Bruce Wideman offered the motion that the Town of Palmyra set up a Glass Reclamation Center at the Town of Palmyra Landfill located on Garnsey Road and that notices be placed in the Courier-Journal and Palmyra Timesaver announcing the opening of the Palmyra Glass Reclamation Center commencing January 1, 1980. Motion was seconded by Nelson Cook. Discussion followed. Motion passed with 5 ayes and no noes.

Consolidation of Town and Village - Edwin Wheeler reported that the Town and Village Boards will meet in January - no definite date has been set.

MOTION TO
APPR. TRANS.

The motion to approve the following Transfers of Funds was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no noes:

TRANS. OF
FUNDS

(1) From Justice Account Personal Services A 1110.1 to Contractual Expenses A 1110.4 in the amount of \$14.50

(2) From Tax Collection Personal Services A 1330.1 to Contractual Expenses A 1330.4 in the amount of \$26.62

(3) From Contingent Acct. A 1990.4 to Assessor Personal Services A 1355.1 in the amount of \$697.38

(4) From Contingent Acct. A 1990.4 to

Deputy Town Clerk Acct. A 1410.2 in the amount of \$291.13

Insurance Acct. A 1910.4 in the amount of \$609.00

Traffic Control Acct. A 3310.4 in the amount of \$81.18

(5) From Revenues Subsidiary Acct. A 2544 Dog Licenses to Appropriation Subsidiary Acct. A 3510.4 Control of Dogs in the amount of \$43.50

The motion to pay the bills as listed on Abstract # 11A was made by Nelson Cook, seconded by Bruce Wideman and passed with 5 ayes and no noes. The bills were listed by Funds as follows:

MOTION TO
PAY BILLS

GENERAL FUND	Vouchers #592 - 621	\$6092.34
PART TOWN FUND	" # 80 - 85	129.21
FEDERAL REVENUE SHARING FUND	" # 38 - 39	1218.48
HIGHWAY ITEM I	" # 71	142.25
HIGHWAY ITEM III	" #215 - 227	1336.80
HIGHWAY ITEM IV	" # 52 - 56	11271.21
EAST WATER DISTRICT	" # 14 - 15	69.72

TOTAL

\$20260.01

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

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

December 13, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:35 P.M. on Thursday, December 13, 1979 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook, and Town Clerk Betty Stubbings. Steve Jackson of the Courier-Journal was also present.

COMMUNICA-
TIONSCommunications -

The following communications were presented to the Board for their review:

- (1) A notice from the Wayne County Planning Board in regard to Computerized House Numbering System. Supervisor Aplin suggested this be referred to the Assessor.

- (2) Information from New York Telephone concerning the survey on the expansion of toll-free area. This was referred to Edwin Wheeler and discussed at length.

- (3) A letter to Supervisor Aplin from The Association of Towns in regard to receipt of dues for 1980 and support of the Association was read by the Clerk.

COMMITTEESCommittees -ZONING

Zoning - The Annual Mobile Home Park Permit which now comes under the new Mobile Home Park Ordinance and requires more information by the Park owner was discussed by the Board.

The proposed Sanitary Code which will be the subject of a Public Hearing on December 27th was also discussed.

Assessment - Nothing to report.

WATERE. WATER
DIST.

Water - Chairman Nelson Cook reported that the work on the water services for the East Water District has not started, the utility companies are completing their staking of the area.

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

RULES & REG.
FOR WATER
DISTRICTSMOTION TO
ADV. FOR
PUB. HRG.

The Revised Rules and Regulations for the Water Districts were discussed and it was determined a public hearing would be necessary. A motion was made by Nelson Cook, seconded by Edwin Wheeler to advertise for a public hearing on the adoption of Revised Rules and Regulations for the Water Districts in the Town of Palmyra, the hearing to be held at 7:30 P.M. Thursday, January 10, 1980. Motion passed with 5 ayes and no noes.

Highway - Nothing to report.

LANDFILL

Landfill - Supervisor Aplin reported that a new cell was being dug at the Landfill which should last until Spring.

CONSOLIDA-
TION

Consolidation of Town & Village - Chairman Edwin Wheeler reported that he has been trying to contact the Deputy Mayor of the Village concerning the joint meetings of the Town and Village Boards. He hopes the Boards can meet the 2nd Monday of each month to discuss items of joint interest.

Mr. Wheeler also discussed with the Board the 1980 Census to be done in April.

Town Attorney Paul Rubery joined the meeting at this time.

LEASE FOR
OFFICEMOTION TO
ACCEPT
LEASE

Supervisor Aplin presented to the Board for their consideration a letter from Gary Morell, Attorney for Anson Johnson, Jr., concerning the lease for the Town Office. Following discussion on this matter, a motion was offered by David Lyon, seconded by Bruce Wideman to accept the lease as stated in Mr. Morell's letter, effective January 1, 1980 to May 1, 1981, at the rate of \$200 per month with the format of the lease to be otherwise the same as the prior leases between the parties. Motion passed with 5 ayes and no noes.

A motion was made by Nelson Cook, seconded by Bruce Wideman to set Thursday, January 3, 1980 at 7:30 P.M. as the Organizational Meeting of the Town of Palmyra. Motion passed with 5 ayes and no noes.

Town Attorney Paul Rubery came before the Board at this time with the Contracts for the installation of Water Services in the East Water District. He reported that the Insurance Certificate does not conform with the requirements of the bid specifications but the Contractor is sending a new Certificate and the Town can execute the paper work, then hold until proper insurance coverage is received. A motion was made by Bruce Wideman, seconded by David Lyon that the Supervisor be authorized to execute the Contract papers but the papers will be held until such time as the increase in Insurance coverage is received. Motion passed with 5 ayes and no noes. 9

MOTION TO
EXECUTE
PAPERS FOR
WATER SERV.

There was a brief discussion with the Town Attorney on the Proposed Rules & Regulations for Water Districts in the Town of Palmyra.

Supervisor Aplin reported that several transfers of funds will be necessary.

A motion was made by Nelson Cook, seconded by Edwin Wheeler to pay Midland Appraisal Associates, Inc. in the amount of \$500.00 from Federal Revenue Sharing Funds. Motion passed with 5 ayes and no noes. MOTION TO
PAY MIDLAND
FROM FED REV.

A motion to approve the following Transfers of Funds was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no noes: MOTION TO
TRANS. FUNDS

From Justice Personal Services Account A 1110.1 to Justice Contractual Account A 1110.4 in the amount of \$11.65

From Contingency Account A 1990.4 to Assessor's Contractual Account A 1355.4 in the amount of \$235.48 and to Garage Account A 5132.4 in the amount of \$46.38

From Revenues-Subsidiary Account A 3510.4 Control of Dogs in the amount of \$221.02

The motion to pay the bills as listed on Abstract # 12 was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no noes, Edwin Wheeler abstaining on Voucher # 638. The bills were listed by Funds as follows: MOTION TO
PAY BILLS

GENERAL FUND	VOUCHERS##	638 - 663	\$ 3003.54
PART TOWN FUND	"	# 87 - 91	1384.69
FEDERAL REVENUE SHARING FUND	"	# 40 - 41	1500.00
HIGHWAY ITEM III	"	# 228 - 247	2291.65
HIGHWAY ITEM IV	"	# 57 - 58	4666.36
NORTH WATER DISTRICT	"	# 45	3542.00
SOUTH WATER DISTRICT	"	# 38	1746.05
EAST WATER DISTRICT	"	# 16 - 24	1995.56

TOTAL

\$20129.85

Town Attorney Paul Rubery reported to the Board that the Town Highway Committee has asked that the Town abandon some portions of Harris Road. Mr. Rubery presented maps indicating the proposed Unneeded Right of Ways to go back to E. Hand and R. Clark. Following discussion, a motion was made by Edwin Wheeler, seconded by David Lyon that the Town Board of the Town of Palmyra abandon that portion of Harris Road as shown on the map on file in the Town Clerk's Office per recommendations of the Town Highway Superintendent and approval of the Wayne County Highway Superintendent and deed the property to the owners of record. Motion passed with 4 ayes and no noes.

MOTION TO
ABANDON PROP
HARRIS RD &
DEED BACK TO
OWNERS OF
RECORD

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

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

December 27, 1979

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened by Supervisor Aplin at 7:30 P.M. on Thursday, December 27, 1979 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 Roy Aplin, Town Councilmen Edwin Wheeler and Bruce Wideman, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Town Board were: Margaret DeNeef, Fred Kaempffe, Supervisor-elect and C.H. Lyons of the Courier-Journal.

COMMUNICATIONS The following communications were presented to the Board for their review:

LIBRARY

(1) A letter from the Palmyra Kings Daughters Free Library concerning the amount allowed in the Budget for 1980 and the possibility of a request during the year for more funds. (2) The quarterly Financial Report of the Palmyra Emergency Volunteer Ambulance Service.

PEVASMOTION TO
APPROVE
MIN. OF
11/29

A motion to dispense with the reading of and approve as submitted the minutes of November 29, 1979 was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 3 ayes and no noes.

CommitteesCOMMITTEES
ASSESSMENT

Assessment - Chairman Bruce Wideman reported that everything is going well in the Assessor's Office.

Supervisor Aplin reported that he had picked up the tax billings at the County Board Meeting and stated that the tax bills will be late again this year due to problems at the County level. Mr. Aplin wished it to be made clear that this should cast no reflection on the local Board.

At 7:40 P.M., Nelson Cook joined the meeting.

WATER
E. WATER
DIST.

Water - Chairman Nelson Cook reported that there has been another break in the water line in the East Water District. He also reported that 70-80% of the water services are installed and he expects the Contractor to be finished in another week.

Supervisor Aplin questioned if there has been a comparison made between the reading taken from the Master meter in the South Water District and the total consumption as shown by the household meter readings. Mr. Cook stated that there hasn't been a full quarter since the Master Meter went into operation. He expects a comparison will be made at the time of the March water billing.

LANDFILL

Landfill - Supervisor Aplin reported that everything is running smoothly at the Sanitary Landfill. The new cell is completed.

CONSOLIDATION OF TN
& VILLAGE

Consolidation of Town & Village - Chairman Edwin Wheeler reported that he is working on a date for the first meeting in January of the combined Village and Town Boards.

JT. REC.
COMM.

Joint Recreation Commission - Chairman Nelson Cook reported that he expects to check with the Bureau of Recreation concerning the Town of Palmyra's application for BOR Funds.

A brief discussion was held on the 1980 Census.

RECESS

At 7:48 P.M. a recess was called by Supervisor Aplin.

PUBLIC HRG.
OPENED
SAN. CODE

The Public Hearing scheduled for 8:00 P.M. Thursday, December 27, 1979 in the Town Office, 204 East Main Street, Palmyra, New York to consider a Proposed Local Law entitled Sanitary Code of the Town of Palmyra was opened by Supervisor Aplin at 8:00 P.M.. The Proof of Publication was read by the Clerk and any interested persons were invited to speak in favor of or opposed to the Proposed Local Law. Mrs. Margaret DeNeef came before the Board to discuss the Proposed Local Law and stated that she doesn't see anything in the Proposed Sanitary Code that covers the problem she has in her area on Route 21. Following considerable dis-

AFFIDAVIT OF PUBLICATION

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

TOWN OF PALMYRA
NOTICE OF PUBLIC
HEARING
NOTICE IS HEREBY
GIVEN that the Town Board
of the Town of Palmyra will
hold a public hearing on
Thursday, December 27,
1979, at 8:00 P.M. in the
Town Office, 202 East Main
Street, Palmyra, New York,
to consider a Proposed
Local Law entitled "The
Sanitary Code of the Town
of Palmyra." A copy of the
Proposed Local Law is on
file in the Town Clerk's
Office for any interested
persons to review prior to
the Public Hearing.
By Order of the Town
Board of the Town of
Palmyra.
Dated December 10, 1979
Betsy B. Strubbing
Town Clerk
(115) (214)

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

Dec. 15, 1979

Rosalie L. Manton
Foreman of the Publisher

Subscribed and sworn to before me

this..... day of Dec 1979
Michael Manton
Notary Public

Fee: \$9.76

cussion, the hearing was closed at 8:33 P.M.. The Board continued to discuss the Proposed Sanitary Code with David Lyon expressing concern that the Code has nothing which protects the individual farmer to dispose of properly the waste on his own property.

MRG. CLOSED

Zoning Officer Francis Toole advised the Board that the Trailer permit issued to James Washburn on June 19, 1979 expired on December 19, 1979 and he reported that no construction has been started, only some digging has been done. Mr. Toole will advise Mr. Washburn of the expiration and request him to apply for an extension.

ZONING
WASHBURN
PERMIT

At this time, Mr. Toole stated that this was his last official Town Board meeting and he wanted to take this opportunity to thank the Town Board and the clerks in the Town Office for their assistance during his years serving the Town of Palmyra as Zoning Enforcement Officer and Building Inspector. In response, Bruce Wideman, on behalf of the Town Board, expressed appreciation for the years of service completed by Francis Toole.

EXPRESSION
OF THANKS
BY F. TOOLE

Highway - The Town Board discussed a letter from the Penn Central Corporation, referred to the Board by Town Highway Superintendent James DeBrine, concerning the Galloway's Bridge crossing of the West Shore Branch Right of Way.

HIGHWAY

New Business - Bruce Wideman requested (1) that a letter of appreciation be sent to Judson Roney thanking him for his long years of service as a member of the Zoning Board of Appeals of the Town of Palmyra and (2) that a letter of appreciation be sent to Francis Toole for his many years as Zoning Enforcement Officer and Building Inspector for the Town of Palmyra. Mr. Wideman also asked that as a special notation, he would like to thank Judith McIntyre for her assistance when he and Town Attorney Paul Rubery were working on the Proposed Sanitary Code for the Town of Palmyra.

NEW BUSI-
NESS
LETTERS OF
APPREC. TO
J. RONEY &
F. TOOLE
SPEC. NOTE
FOR J. MCIN-
TYRE

The Town Board discussed the increase in Senior Citizens' exemption to \$7200 recently approved by the County Board of Supervisors. A motion was offered by Bruce Wideman, seconded by Roy Aplin that the Town Board of the Town of Palmyra advertise for a Public Hearing to consider the adoption of a Resolution increasing the Senior Citizens' exemption to \$7200, hearing to be held Thursday, January 24, 1980 at 7:30 P.M.. Motion passed with 5 ayes and no noes.

MOTION TO
ADV. PUB.
HRG. RE:
INC. SR. CIT
EXEMPTION

There was a brief discussion on the broken window in the Town Office with Supervisor Aplin stating a complaint that he was not notified at the time the broken window was reported.

OFFICE
WINDOW

Supervisor Aplin also brought to the Board's attention and asked that it be made a matter of record that he did not authorize the cleaning of the Town Office by Frere's Janitorial Service on November 23, 1979. The voucher #613 was submitted for payment on Abstract #11A, was audited on November 29, 1979 by the Town Board and was unanimously approved.

OFFICE
CLEANING

The next item of business was the approval of Transfers and Encumbrances of Funds.

The motion was made by Bruce Wideman, seconded by Edwin Wheeler to approve a transfer of funds from Revenues Subsidiary Account # A 2544- Dog Licenses to Appropriation - Subsidiary Account # A 3510.4 - Control of Dogs in the amount of \$40.00. Motion passed with 5 ayes and no noes.

MOTIONS
RE: TRANS.
& ENCUMBER
OF FUNDS

A motion was made by Nelson Cook, seconded by David Lyon to approve a transfer of funds from Highway IV-Service for Other Governments-Contractual Expenses Account # DS 5148.4 to Employee Benefits - Vitalization Account # DS 9060.8 in the amount of \$54.44. Motion passed with 5 ayes and no noes.

A motion was made by Edwin Wheeler, seconded by David Lyon to approve a transfer of funds from Contractual Expense Account # SW 8320.4 to Employee Benefits - Social Security Account # SW 9030.8 for the North Water District in the amount of \$7.61 and for the South Water District in the amount of \$4.10. Motion passed with

5 ayes and no noes.

MOTION TO
APPROVE
TRANSFERS
OF FUNDS

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to approve a transfer of funds from the Contingent Account # A 1990.4 to the following accounts because of insufficient funds in these accounts: Justice Personal Services Account # A1110.1 - \$381.99, Justice Contractual Expenses Account #A 1110.4 - \$305.91, Tax Collection Personal Services Account # A 1330.1 - \$26.62, Town Clerk Deputy Account # A 1410.2 - \$172.50, Garage Contractual Expenses Account # A 5132.4 - \$99.27. Motion passed with 5 ayes and no noes.

MOTION TO
APPROVE
TRANSFERS
OF FUNDS

A motion was made by Edwin Wheeler, seconded by David Lyon to approve the transfer of funds as follows:

From Part Town (Per Capita) to Highway I	\$30,568.00
From Part Town (Unemployment Insurance) to Capital Reserve Savings	\$ 250.00
From General Fund " " " " to " " " "	\$4000.00
From Highway Item IA to Highway Item III	\$5413.10
" " " " " " " "	\$1397.95
From Highway Item III to Machinery Capital Reserve	\$10,000.00

Motion passed with 5 ayes and no noes.

MOTION TO
ENCUMBER
FUNDS

A motion was made by Edwin Wheeler, seconded by Nelson Cook to encumber all balances in Employee Benefits Accounts in all Funds. Motion passed with 5 ayes and no noes.

MOTION TO
ENCUMBER
FUNDS

A motion was made by Nelson Cook, seconded by David Lyon to encumber funds in the following Accounts:

Highway Item I	DR 5110.4	Contractual Expenses	\$ 368.45
Highway Item III	DM 5130.4	" "	1041.01
Highway Item IV	DS 5142.1	" "	893.50
Highway Item IV	DS 5142.1	Payroll	1230.95
Highway Item IV	DS 5148.1	" "	679.17
General Fund	A 6260.1	" "	31.20

Motion passed with 5 ayes and no noes.

MOTION TO
PAY BILLS

The motion to pay the bills as listed on Abstract # 12A was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no noes. The bills were listed by Funds as follows:

GENERAL FUND	VOUCHERS # 664 - 692	\$14285.46
PART TOWN FUND	" # 92 - 99	32192.01
FEDERAL REVENUE SHARING FUND	" # 42 - 48	13413.97
HIGHWAY ITEM I & IA	" # 72 - 73	6811.05
HIGHWAY ITEM EII	" # 248 - 266	11352.52
HIGHWAY ITEM IV	" # 59 - 62	6485.83
NORTH WATER DISTRICT	" # 46 - 47	53.19
SOUTH WATER DISTRICT	" # 39 - 42	42.98
EAST WATER DISTRICT	" # 25 - 26	64.65

TOTAL \$84701.66

MOTION TO
ADJOURN

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

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

TOWN OF PALMYRA SUPERVISOR'S REPORT AS OF DECEMBER 31, 1979

<u>FUNDS</u>	<u>BALANCE 1/1/79</u>	<u>RECEIPTS</u>	<u>PAYMENTS</u>	<u>BALANCE 12/31/79</u>	<u>BALANCE 12/31/79 TOTALS</u>
<u>GENERAL</u>					
TOWN WIDE	\$105654	\$202336	\$175514	\$132476	\$132476
<u>PART TOWN</u>	86892	102877	108350	81419	81419
<u>CAPITAL RESERVES</u>					
HOUSING FACILITIES		5000		5000	
REFUSE DISPOSAL		5000		5000	10000
<u>HIGHWAY</u>					
ITEM I & IA	10484	155782	119947	46319	46319
ITEM II BRIDGES	1643	1273		2921	2921
ITEM III MACHINERY	26174	71490	87717	9947	
MACH. RESERVE	42274	2025	13072	31227	41174
ITEM IV	48219	74144	96556	25807	25807
FEDERAL REVENUE SHARING FUND	84667	50666	64303	71030	71030
<u>FIRE PROTECTION</u>					
PALMYRA	NONE	19500	19500	NONE	NONE
EAST PALMYRA	NONE	5000	5000	NONE	NONE
PORT GIBSON	NONE	1300	1300	NONE	NONE
<u>WATER DISTRICTS</u>					
NORTH WATER	14686	31938	28075	18549	18549
SOUTH WATER	3922	13727	11035	6614	6614
EAST WATER		1950	1170	780	780
EAST WATER CAPITAL PROJECT		95224	94894	330	330
<u>GRAND TOTALS</u>	\$424615	\$839237	\$826433	\$437419	\$437419

Respectively submitted
Leroy R. Aplin
Supervisor