Town of Palmyra - Minutes

1982

Corporate or Unincorporated Association Resolution for Bank Accounts

Account Numbers 02-17-10979-4

Offices Macedon

Town of Palmyra
(Name of Corporation or Unincorporated Association)

201 East Main St. Palmyra N.Y. 14522
(Address)

TO: LINCOLN FIRST BANK, N.A.

RESOLVED: That Lincoln First Bank, N.A. (Bank) is hereby designated as a depository of this Corporation or Association and that deposit accounts of any kind may be opened and maintained in the name of this Corporation or Association with said Bank.

RESOLVED: That the funds of this Corporation or Association may be withdrawn upon the check, draft, note, written order, or written withdrawal request of this Corporation or Association signed OR PURPORTING TO BE SIGNED BY THE FACSIMILE SIGNATURE(S) (Cross out facsimile signature clause if not applicable).

By any of the following persons:

Title or Name

Supervisor

Deputy Supervisor

Town Clerk

NOTE: In order to make unnecessary the submission of new resolutions when new officials are elected, it is preferable to designate authorized signers by title rather than by name.

3-18 REV. 1/79

The Bank is hereby authorized to pay such checks, drafts, notes, written orders, or to pay pursuant to the written withdrawal requests and to receive the same for credit to the account of the payee, or in payment of the individual indebtedness of the payee, or any other holder when so signed, or to otherwise honor any written instructions concerning said account when signed as authorized above, without inquiry as to the circumstances of their issue or the disposition of their proceeds or any such payments, whether drawn to the individual order or tendered in payment of the individual obligations of any of the above persons or of any officer or employee of this Corporation or Association, or otherwise.

If facsimile signatures have been authorized, the Bank is hereby further authorized to pay the same regardless of by whom or by what means the actual or purported facsimile signature(s) thereon may have been affixed if such signature(s) resemble the facsimile specimen(s) duly certified to or filed with the Bank by the Corporation or Association.

"RESOLVED: That if any one of the authorized signatures is present the Bank's action in paying such check, draft, written order or paying pursuant to such written withdrawal request shall be binding on the Corporation or Association since the requirement of more than one signature is solely an internal requirement of the Corporation or Association and shall not be binding on the Bank.

"RESOLVED: That any checks, drafts, notes or other instruments of any kind payable to or belonging to this Corporation or Association may be endorsed by any of its officers, employees or agents and deposited with the Bank for the credit and use of this Corporation or Association and said endorsements may be made in writing or by stamp and without designation of the person so endorsing.

"RESOLVED: That the Secretary shall furnish to said Bank the names of the presently duly elected and qualified officers of this Corporation or Association and shall from time to time hereafter as changes in the personnel of said officers are made, immediately certify such changes to the Bank and the Bank shall be fully protected in relying on such certification of the Secretary and shall be indemnified and saved harmless from any claims, demands, expenses, loss or damage resulting from, or growing out of, honoring the signature of any officer so certified, or refusing to honor any signature not so certified.

"RESOLVED: That the Secretary or any other officer of this Corporation or Association is hereby authorized to certify to the Bank a copy of these resolutions. The Bank may rely and act upon such certificate and these resolutions shall continue in full force and effect until the Bank is advised by a like certificate of any changes therein."

I, Betty B. Stubbings, CERTIFY to LINCOLN FIRST BANK, N.A. that the foregoing is a true and complete copy of the resolutions duly adopted by the Town of Palmyra (governing body) of said Corporation or Association and are now in full force and effect.

WITNESS my hand and official seal of the Corporation or Association this 20th day of January 19 82.

Betty B. Stubbings

Town Clerk ~~Secretary~~

In case the Secretary is authorized to sign checks, drafts, written withdrawal requests, etc. by the above resolutions, this certificate must also be signed by a Second Officer of the Corporation or Association.

[illegible signature]

Signature & Title of Other Officer Town Supervi

(Corporate Seal)

G 115 SF

(SEE INSTRUCTIONS ON REVERSE SIDE)

CERTIFIED COPY OF CORPORATE BANKING RESOLUTIONS

TOWN OF PALMYRA
(Name of corporation)

201 East Main Street, Palmyra, New York 14522
(Corporation address)

I hereby CERTIFY that the following is a true copy of resolutions duly adopted by the ~~Board of Directors~~ TOWN BOARD OF THE TOWN OF PALMYRA, a corporation organized under the laws of the State of NEW YORK, at a meeting held on JANUARY 5, 1982; 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 Depositary

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 depositary 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).

Authorized Signature(s)

2. That SUPERVISOR, DEPUTY SUPERVISOR, TOWN CLERK (any two may sign)
(Indicate manner of signing, i.e. any one, any two, jointly, etc. Use titles where practicable; if persons without titles, insert names.)
be and be (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 it upon the Bank; and the Bank be and hereby is authorized to make payments from funds of this corporation on deposit with it upon 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.

Other Authority

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

To discount with and to sell to the Bank any and all notes, drafts, bills of exchange or other evidences of debt, or contracts or obligations for or rights to the payment of money, whether or not negotiable, 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 F. Aplin	Supervisor	
Peter C. Buck	Deputy Supervisor	Peter C. Buck
Betty B. Stubbings	Town Clerk	Betty B. Stubbings

Witness my hand and the seal of the corporation this 7th day of [illegible], 1982

Betty B. Stubbings
~~Secretary~~ Town Clerk

(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.

A motion was made by David Lyon, seconded by Edwin Wheeler to approve the hourly rates for the Town Highway crew as follows: MOTION HRLY. RATES TN. HWY. CREW

Lyman Kaller, Dep. Hwy. Superintendent	\$7.39
Elwood Verbridge	\$7.07
Fred Lawson, John Simizon, Nelson DeMay & Gene Woodard	\$6.90
Ross Wilck	\$5.84

Motion passed with 4 ayes.

A motion was made by David Lyon, seconded by Edwin Wheeler that the rate for re-imbursement of mileage for Town business be set at \$.22 permile for the year 1982. Motion passed with 4 ayes. MOTION RATE FOR MILEAGE

A motion was made by Edwin Wheeler, seconded by David Lyon that the Courier-Journal be designated as the official newspaper for the Town of Palmyra. Motion passed with 4 ayes. MOTION OFF. NEWS

A motion was made by Donald Sinclair, seconded by David Lyon that the regular Town Board meetings for 1982 be held on the second and fourth Thursdays of each month, with the first meeting in April and the first meeting in October to be held in East Palmyra, the second meeting in November to be held on Tuesday, November 23rd and the second meeting in December to be held on Tuesday, December 28th. Motion passed with 4 ayes. MOTION REG. TN. BD. MTGS.

A motion was made by David Lyon, seconded by Donald Sinclair to designate Marine-Midland Bank - Rochester and Linclon First Bank, N/A as official depositories for the Town of Palmyra for the year 1982. Motion passed with 4 ayes. MOTION RE: OFFIC. DEPOSITORIES

A motion was made by Edwin Wheeler, seconded by Donald Sinclair that the vouchers for the following items be paid prior to audit: Utilities, Hospitalization, Postage, Disability Insurance, Social Security and Payrolls (all employees to be paid monthly except the Town Highway crew). Motion passed with 4 ayes. MOTION RE: ITEMS PAID PRIOR TO AUDIT

The motion that the price for gravel is not to exceed \$.75 per cubic yard was offered by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes. MOTION RE: PRICE OF GRAVEL

Edwin Wheeler offered the motion that the smoking ban continue to be in effect at the Town Board meetings and Public Hearings during 1982. The motion was seconded by Donald Sinclair and discussion followed. A motion to move on the question was made by Mr. Wheeler, seconded by David Lyon and passed with 4 ayes. The vote on the motion to continue the smoking ban was 3 ayes and 1 no - Roy Aplin voting no. MOTION RE: SMOKING BAN

A motion was made by David Lyon to approve the following Resolution - Rules of Procedure - Town of Palmyra: MOTION TO APPROVE RESOLUTION FOR RULES OF PROCEDURE

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Palmyra hereby adopts Rules of Procedure pursuant to Section 63 of the Town Law as follows:

RULES OF PROCEDURE
TOWN OF PALMYRA

1. Organization Meeting

The organization meeting of the Board shall be held on or before the second Thursday in January of each year. The exact date and time shall be established on or before the last meeting of the Town Board in the month of December immediately preceeding January, the month in which the organization meeting shall be held.

2. Regular Meetings

Regular meetings of the Town Board shall be held on the 2nd and 4th Thursday of each month except in July and August when one meeting each month may be canceled by the Town Board.

3. Special Meetings

Special meetings may be called as provided in the Town Law of the State of New York.

4. Place of Meetings

All meetings shall be at the Office of the Town Clerk of the Town of Palmyra, 201 East Main Street, Palmyra, New York, except the first meeting in April and the first meeting in October which shall be held at the East Palmyra Fire Hall, unless the Board shall, by resolution, move or adjourn the meeting to another place within the Town of Palmyra.

MOTION TO APPROVE RESOLUTION CONT'D

5. Quorum

A quorum shall be 3 of the 5 members. Actions of the Board shall require an affirmative vote of at least 3 members of the entire Town Board for each action passed except as otherwise prescribed by law. In the event there is not a quorum present, the members gathered may adjourn the meeting to a new time and place, provided due notice must be given to the members absent.

6. Time of Meetings

The meetings shall commence at 8:00 P.M. during daylight savings time and 7:30 P.M. during Eastern Standard time, unless thestarting time shall be amended by the affirmative vote of the Board.

7. Presiding Officer

The Supervisor shall preside at Town Board meetings. In the absence of the Supervisor, the member of the Board present with the longest service shall be temporary Chairman of the meeting.

8. Conduct of Meetings

A. Order of Business

1) The meeting shall be called to order at the appointed time.

2) The next order of business shall be the Pledge of Allegiance, which shall be led by the Chairman or presiding officer.

3) The roll will then be called.

4) Approval of minutes of previous meeting.

5) For organization meetings, the Supervisor shall make his committee appointments, and the Town Board shall make the remaining appointments, including the appointment of the depository and other appointments required.

6) The Town Clerk shall then read all communications received by the Town, or any Town officer which is relevant to Town business, or by the Clerk, and furnish copies to the members of the Board upon request. It shall not be necessary to read advertisements or business solicitations, but, they may, in the discretion of the Clerk, be summarized. The Chairman shall then entertain a motion for the proper disposition of any items of mail.

7) The abstracts of claims and expenditures will be reviewed. The abstract of claims and expenditures shall be supported by vouchers authorized by each department head. The major or unusual claims in each category shall be read aloud by the Chairman of the committee having jurisdiction. It shall not be necessary to read aloud expenditures for ongoing expenses like utilities, payroll, or items which were subject to contract or bidding procedures.

8) The abstracts will be approved, and the expenditures and claims authorized therein shall be authorized.

9) The various committees shall then render their report and appropriate action shall be taken on each item.

10) Adjournment

B. Agenda

No matter for consideration by the Board shall be considered unless it is on the agenda. The Clerk shall prepare the agenda and shall mail or deliver the agenda to each member of the Town Board not less than three (3) business days before the meeting, counting the day of the meeting. No matter shall thereafter be added to the agenda without the affirmative vote of a majority of the Town Board.

C. Adjournments and recesses during the Meeting.

In the event that any member of the Town Board, including the Supervisor, shall desire to interrupt the business of the meeting or leave the table during the meeting, as soon as may be convenient, the member shall make a motion for recess or adjournment. A motion for recess shall be for a period not to exceed ten (10) minutes and shall take precedent over all other motions. A motion for an adjournment for a period longer than ten (10) minutes, or to executive session, or some other time or place shall be made if a motion for recess would be inadequate. In the event that no motion is made and any member of the Town Board or the Supervisor shall leave the meeting or the table, the balance of the members in attendance, may continue the meeting or make a motion to adjourn. If there is no Chairperson or Acting Chairperson, said motion shall become effective if properly seconded and on the affirmative vote of the members still at the meeting or at the table.

D. There shall be no smoking during the meeting.

E. Resolutions and Motions.

1) All resolutions and motions shall be governed by the Town Law of the State of New York.

2) All resolutions shall be in writing and submitted to the Town Clerk in time to be listed on the agenda.

3) Any motion or resolution not on the agenda may be added

MOTION TO APPROVE RESOLUTION CONT'D

to the agenda only by a majority vote of the Town Board.
4) No motion (except to amend, table, recess or adjourn) or resolution shall be acted on unless on the agenda or properly added to the agenda.
5) There shall be no discussion of a motion or resolution unless properly made and seconded.
6) When a question is under debate, no motion shall be entertained unless for recess or adjournment of the Board, to call the question, to table the question, or to amend. These motions shall have predecence in the order in which they are stated and shall not be subject to debate.
7) A motion or a motion for adopting a resolution may be placed on the table by a majority vote, and a majority vote will be necessary to take it off the table.

9. Executive Session

On motion of any member, duly seconded and carried by a majority vote, the Board shall go into executive session, presided over by the Supervisor, during which time any matters may be discussed and debated, but no action may be taken thereon by motion or resolution, except on a motion to terminate the executive session. Only members of the Board shall participate in the executive session except such other persons as the Board deems necessary may be called into the session.

10. Committees

Committees shallbeeappointed and serve at the pleasure of the Supervisor

11. Minutes

The minutes of the Town Board shall be maintained in writing and delivered to the members at the next meeting at which they are available.

12. Public Participation

All meetings of the Town Board, except executive sessions, shall be open to the public but no person attending the meetings shall have the right to address the Board or participate except at public hearings without permission of the Board.

13. Correspondence

The Supervisor and all Town Board members shall immediately file all correspondence relative to any business of the Town with the Town Clerk who shall place same on the agenda of the next following meeting.

14. Parliamentary Law

All questions not covered by the rules shall be decided according to the generally prevailing rules of parliamentary law and Robert's Rules of Order.

15. Amendment of these Rules.

These rules of order shall be amended only by a majority vote of the Town Board and only after ten (10) days notice, which notice shall be in writing to all members of the Board and be filed with the Town Clerk and shall specify the particulars of such proposed amendment.

16. Adopted Rules

These rules shall control until new rules of order are adopted by majority vote of the Board.

MOTION CARRIED

The motion was seconded by Edwin Wheeler and following a lengthy discussion on several points in the Resolution, the motion was carried with 3 ayes and 1 no, Roy Aplin voting no.

INFO. RE: ASSOC. OF TNS. MTG.

The information concerning the Association of Towns Meeting which will be held in New York City in February was presented to the Board by the Clerk.

MOTION TO APPT. DEL. & ALTER.

The motion to appoint David Lyon as Delegate with Donald Sinclair as Alternate to the Association of Towns Meeting to be held February 14th - 17th in New York City was made by Edwin Wheeler, seconded by Donald Sinclair and passed with 4 ayes.

SPEC. MUNI FUNDS DES. TO PT FUND

Supervisor Aplin reported that a check in the amount of $2808.00 has been received from the State - Per capita aid, Special Municipal Funds, a one time only allocation. These funds were designated by the Board as a revenue to the Part Town Fund.

PUBL HRGS. N.Y.TEL.

Mr. Aplin advised the Board of a Public Service Notice in regard to Public Service Commission Public Hearings on New York Telephone - this notice will be posted on the Town Bulletin Board for anyone who is interested.

MOTION TO ADJOURN

The motion to adjourn was offered by [illegible] Lyon, seconded by Donald Sinclair and passed with 4 ayes.

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

January 14, 1982

REG. MTG. OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, January 14, 1982 at 7:30 P.M. in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Roy Aplin who also led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call, the following Town Board members were present: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Donald Sinclair and Nelson Cook. Councilman David Lyon had indicated he would be late for this meeting.

Others attending the meeting were: Town Attorney Paul Rubery, Assessor Judson Roney, Deputy Supervisor Peter Buck, Town Justice Albert Hunt, Charles Richardson, President of Palmyra Economic Development Corporation, Chuck Lyons of the Courier-Journal, Larry Mooney, Elaine Hartnagle, Stephen Hays and Tim Wilbur.

MOTION TO APPR. MIN. OF 12/10/81

The motion to dispense with the reading of and approve as submitted the minutes of December 10, 1981 was made by Edwin Wheeler, seconded by Donald Sinclair and passed with 4 ayes.

COMMUNICATIONS

Communications:

1. Notice from U.S. Dept. of Agriculture - Tree ordering information. Copies to be given to Roy Aplin and Donald Sinclair.

2. Letter from THE HARTFORD re: Social Security - Disability

3. Notices from NYS Division of Housing & Community Renewal re: NYS Building & Fire Prevention Codes. Councilman Sinclair questioned if there are copies of these codes available for people to look at. Mr. Roney stated that his office has 3 copies and there is information available for those who wish to order these codes. A brief discussion on these codes followed.

4. Memo from James DePoint to Roy Aplin re: existing water system - Copy has been given to David Lyon, Water Committee.

5. NYS Dept. of Health re; Public Water Supply - Finger Lakes Water Works Conference to be held in February 1982.

6. Agreement of Sale - Galloway Bridge Road property. Brief discussion followed.

MOTION TO REC. & FILE COMMUNIC.

The motion to receive and file the communications was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes.

MOTION TO PAY BILLS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Nelson Cook to approve payment of Claims as shown on Abstract #12B (1981) and Abstract # 1 (1982). Motion was seconded by Donald Sinclair and passed with 4 ayes. The Vouchers were listed by Funds as follows:

ABSTRACT #12B

ABSTRACT # 12 B - 1981 -

GENERAL FUND	Vouchers #457-458	$ 684.72
PART TOWN FUND	" # 76	26.40
HIGHWAY ITEM IV	" # 42- 45	6432.54
NORTH WATER DISTRICT	" # 33	8.76
SOUTH WATER DISTRICT	" # 34- 35	36.23
EAST WATER DISTRICT	" # 38	1.13
TOTAL		$7189.78

ABSTRACT # 1

ABSTRACT # 1 - 1982 -

GENERAL FUND	Vouchers # 1 - 23	$ 2761.42
PART TOWN FUND	" # 1 - 4	384.83
FEDERAL REVENUE SHARING	" # 1 - 2	18250.00
HIGHWAY ITEM I	" # 1 - 4	929.62
HIGHWAY ITEM III	# 1 - 16AB	1912.05
HIGHWAY ITEM IV	" # 1 - 3AB	7796.06
NORTH WATER DISTRICT	" # 1	105.87
EAST WATER DISTRICT	" # 1	20.77
HIGHWAY ITEM II	" # 1	44.00
TOTAL		$32204.62

Reports of Standing Committees-- COMM. REPORTS

Highway Committee - Edwin Wheeler HWY. COMM.

Nothing to report at this time.

Landfill Committee - Donald Sinclair LANDFILL COM

Mr. Sinclair reported that a communication has been received from Hershey, Malone & Associates in regard to the new Landfill regulations which will be in effect May 1, 1982. Supervisor Aplin suggested that Mr. Sinclair contact Tony Malone but Councilman Cook advised the Board that David Matthews is the contact at Hershey, Malone concerning Landfills and the regulations. Discussion followed with (1) Supervisor Aplin stating that several Supervisors are planning to contact Assemblyman Talomie and Senator Kehoe, (2) Councilman Sinclair questioning the life of the Palmyra Landfill and Councilman Cook stating that there may be space for 6 cells - possibly 3 years use left and (3) Town Attorney Rubery suggesting that Supervisor Halldow of Williamson be contacted for some information - a meeting was held last fall at Williamson concerning the DEC's new regulations. NEW REGULATIONS

Assessment, Planning & Zoning - Nelson Cook ASSESSMENT, PL. & ZON.

(1) Mobile Home Park Permits - Mr. Cook reported that all permits are in and the fees are paid. The Town Board acting as the Board of Health has an inspection to do. A possible date was set for Saturday, January 30th at 8:00 A.M. and the group will meet at the Town Office. M.H. PARK PERMITS

(2) Zoning Ordinance - Mr. Cook reported that the Planning Board and Judson Roney as well as the Town Attorney have been working on the Zoning Ordinance and hope to have a tentative draft to present to the Board in February. ZON. ORD.

(3) New York State Building & Fire Prevention Codes - These Codes were adopted in December by Resolution of the Town Board. NYS. BLDG. & FIRE CODES

(4) Meeting in Albany re: Protest of Equalization Rate - Assessor Roney has requested Board authorization to attend the meeting to protest the Equalization rate, the meeting is to be held in Albany on January 25th. Mr. Roney explained the Equalization rate and how it works. Councilman Cook offered a motion to authorize Judson Roney to attend this meeting and the motion was seconded by Donald Sinclair. Following some discussion on this motion, Councilman Wheeler brought to the Board's attention tha according to Section E, paragraph 3 of the Rules of Order this motion was not proper. Therefore, Mr. Cook withdrew his motion and Mr. Sinclair withdrew the second. The following motion was then offered. PROTEST RE: EQUALIZ. RATE

Motion number: 1982 - 0001 Date: January 14, 1982 MOTION NO. 1982-0001

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Items added to the Agenda ITEMS ADDED TO AGENDA

Resolved, that the Town Board of the Town of Palmyra approve the addtion of the following items to the Agenda: (1) Authorization for Assessor to attend the meeting in Albany on January 25th and (2) Authorization to reserve space at the Phase I Training session for Secretaries to Assessors (new personnel).

Motion passed with 4 ayes.

Motion number: 1982 - 0002 Date: January 14, 1982 MOTION NO. 1982-0002

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Authorization to Attend Meeting in Albany AUTHOR. TO ATTEND MTG

Resolved, that the Town Board of the Town of Palmyra authorize Assessor Roney to attend the meeting to be held in Albany on January 25th to protest the Equalization rate with all necessary expenses a proper charge to the Town of Palmyra.

Motion passed with 4 ayes.

Mr. Cook discussed with the Board the resignation of the Secretary/Clerk in the Assessor's office and informed the Board that Mr. Roney had advised him about

MOTION NO. 1982-0003

APPR. TO RESERVE SPACE AT TRG. SESSION

a training session for new personnel in Assessor's offices to be held in March with a deadline of January 18th for reservations.

Motion number: 1982 - 0003 Date: January 14, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Approval to reserve space at Training session

Resolved, that the Town Board of the Town of Palmyra authorize Judson Roney to send the application to reserve space at the Training session for new personnel (Assessors' offices) to be held in March.

Motion passed with 4 ayes.

Mr. Roney discussed briefly with the Board what procedures he should follow in locating candidates for the position now open in his office due to the resignation of Judy McIntyre. Following recommendations from Mr. Roney, the Board will approve the appointment and set the salary.

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

RECESS

Town Councilman Edwin Wheeler requested a 3 minute recess.

MTG. RE-OPENED

The meeting was re-opened and the business of the meeting was continued.

WATER COMM.

Water Committee - David Lyon

CONTR. W/ VILLAGE

(1) Water Contract - Nelson Cook reported at this time because he had been involved with some negotiations on the Contract with the Village of Palmyra - contract expires in February 1982. He had met with James DePoint of the Village Board on the Contract and had expected to receive a draft of the Contract from the Village of Palmyra but nothing has been received at this time. General discussion followed with David Lyon stating that he would contact James DePoint and proceed with negotiations for a Contract.

TN. BLDG. COMM.

Town Building Committee - David Lyon

Mr. Lyon reported that the Committee has some basic figures for some of the work, the New York State Energy Audit will be done on the 15th, Friday, a committee meeting has been called for Thursday, January 21st at 7:30 P.M. and the replacement of the Electric and Gas meters has been completed. Any recommendations concerning work to be done will be held until after the committee meeting and the Energy audit.

OTHER BUSINESS

Other Business -

LIBRARY REQUEST PUT BACK ON TABLE

(1) Library request -

A motion was made by Edwin Wheeler, seconded Nelson Cook to put the motion # 1981-0149 from the December 29th meeting back on the table for discussion and vote.

MOTION NO. 1982-0004

APPR. OF ADD. FUNDS

Motion number: 1982 - 0004 (1981-0149 Date: January 14, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Approval of request for Additional Funds - Library

Resolved, that the Town Board of the Town of Palmyra approve the request of the King's Daughters Free Library for additional funds in the amount of $750 for the Micro-reader/printer.

Under discussion, Town Councilman Lyon reported on the background concerning this motion. He stated that representatives from the Library came before the Board at the Public Hearing on Proposed use of Federal Revenue Sharing Funds and requested the Board to consider allocating funds in the amount of $3050 for a Micro-reader/printer. Later they requested an additional amount ($750) because of adjustments in p [illegible] e of the reader/printer plus the need for some extra equipment to improve the use of the machine. The Board decided to consider using some of the Special Municipal Funds which were to come from the State.

MOTION APPROVED

The motion to approve the Library's request for additional funds was carried with 5 ayes.

(2) Neighborhood Watch Program -

NEIGHBORHOOD WATCH PROG.

Mr. Lyon filled in the background concerning this program which originally came to the Board's attention last fall. At this point, there has been no meeting scheduled. There was an attempt to hold this meeting in East Palmyra but there are conflicts in the winter and Mr. Lyon suggested that the meeting be put off until Spring when arrangements can be made to hold it in the East Palmyra Fire Hall as that seems to be where there is the most interest. Supervisor Aplin will contact the East Palmyra Fire Department and Wayne County Sheriff's Department to set up a meeting possibly in April.

(3) Palmyra Economic Development Corporation -

PALMYRA ECONOMIC DEVELOPMENT CORPORATION

Charles Richardson, President of the PEDC, came before the Board at this time, stated that on behalf of the PEDC he had asked to meet with the Board as the Corporation is planning for 1982, also 1983 and 84. They would like to know what to expect in regard to support from the Board in the future. He expressed thanks for the support in the last 2 years. He referred to the Capital Reserve Fund which the Town has established for Industrial Development and informed those present that the PEDC is putting together a brochure to advertise their program. He stated that the Corporation has received tremendous help from Judson Roney in identifying property. The big push on now is to get small businesses in the old Braiding Plant where there is a tremendous amount of space. As these small businesses outgrow the space there, the Corporation wants to have other places available. Proven Designs has grown from 2 to 10 persons - 2 have bought homes in Palmyra. Mr. Richardson requested a Liaison Committee or person from the Town Board to work with the Corporation. Discussion continued - covering points on requests for seedmoney from the Village and Town of Palmyra, officers of the Corporation, money received from the Town so far, Annual report which will be available to the Town and Village following the Annual meeting, remarks by Stephen Hays concerning possible promotion by local businessmen and organizations, use of Federal, State and local funds, a request from Peter Buck on the Capital Reserve Fund and a Resolution from the Town indicating their support of the PEDC as well as the appointment of a liaison, both of which were deferred to the next meeting.

(4) Bingo -

BINGO

Supervisor Aplin discussed Bingo Inspections with the Board. Town Attorney Rubery reported that he had met with the Treasurer of the Moose Bingo Program, reviewed the reports and resolved the question of the 3% fees which the Town receives. Schedules for Bingo inspections were given out to the Board members.

A motion to hold an Executive session to discuss some possible litigations was offered by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes. MOTION TO HOLD EXEC. SESSION

The motion to return to regular session was made by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes. MOTION TO RET. TO REG SESSION

There being no further business, the motion to adjourn was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes. MOTION TO ADJOURN

Respectfully submitted,

Betty B. Stubbings

Minutes of Executive Session meeting of January 14, 1982 - All members of the Town Board and the Town Attorney were present. Discussion was held on authorization to investigate and defend litigation. Motion made by Councilman Cook, seconded by Councilman Wheeler to go back into regular session. Carried.

Leroy R. Aplin, Supervisor

January 28, 1982

MEETING OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, January 28, 1982 at 7:30 P.M. in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin with a moment of silent prayer. Those present were led by Supervisor Aplin in the Pledge of Allegiance to the Flag.

ROLL CALL

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

Others attending the meeting were: Assessor Judson Roney, Town Justice Albert Hunt and Chuck Lyons, of the Courier-Journal.

MINUTES APPROVED

The motion was made by David Lyon to dispense with the reading of and approve as submitted the minutes of December 29, 1981. The motion was seconded by Nelson Cook and passed with 3 ayes.

COMMUNICATIONS

Communications -

1. Memo from the Village Clerk in regard to the use of a Voting Machine at the General Village Election in March.

The motion to approve payment of Vouchers as shown on Abstract # 1A was deferred to later in the evening.

REPORTS OF COMMITTEES HIGHWAY

Reports of Standing Committees -

Highway Committee - Edwin Wheeler, Chairman

Supervisor Aplin appointed David Lyon as a member of the Highway Committee.

PROP. ACQU. RGTS.-PENN CENTRAL W. SHORE QUAKER RD.

Mr. Aplin read a letter from the New York State Department of Transportation concerning the Town's Preferential Acquisition Rights for property of the West Shore Branch - Penn Central Corporation on Quaker Road. This communication was referred to the Town Attorney. Town Councilman Lyon offered some information, explaining the need to pursue the acquisition of this property as it involves the right of way for the Town Highway (Quaker Road) and would give the Town some property for a future water line.

WATER MASTER METERS

Water Committee - David Lyon, Chairman

(1) Master Meters - Mr. Lyon reported on a meeting held January 20, 1982 with David Matthews of Hershey - Malone & Associates, Harold Kruger, Water District Superintendent, James DePoint, Village Trustee, Nelson Cook and himself in attendance. It was noted at this meeting that the South & East Master Meters were reading high but the North Master Meter findings were way off. At David Matthews suggestion, the Monroe County Water Authority was engaged to test the North Master Meter at an approximate cost of $100 to be shared by the Village and the Town. The Monroe County Water Authority will report the findings to Hershey -- Malone and the results will be reported at a later meeting.

CITIZENS WATER COMM.

(2) Citizens Water Committee - Nelson Cook reported on the Committee meeting and stated that the Committee hopes to have a proposition to present to the Town Board in the near future. The Town has received petitions for water from most areas in the Town. The Committee will meet again on Wednesday, February 10th at 7:00 P.M. in the Town Office and will submit their recommendations following that meeting.

WATER CONTR. W/VILLAGE

(3) Contract with the Village of Palmyra for Water Supply - Mr. Cook stated that he has received proposals for increases but hopes to be able to negotiate on these proposals from the Village.

LANDFILL

Landfill Committee - Donald Sinclair, Chairman

STATE PERMIT

Mr. Aplin reported on the meeting with Hershey-Malone which concerned the State Landfill Permit. A proposed letter to the DEC at Avon requesting an extension of the present permit was read by the Supervisor and it was agreed that the letter should be signed by the Supervisor and sent on to Mr. Charles Johncox, Senior Engineer Technician at the DEC in Avon, New York.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman — ASSESSMENT, PL. & ZON.

(1) Mobile Home Parks Inspection - Mr. Cook stated that anyone wishing to participate in these inspections should be at the Town Office, at 8:00 A.M., Saturday, January 30th. — M.H.PK.INSP

Town Councilman Donald Sinclair joined the meeting at 8:00 P.M.

(2) Palmyra Economic Development Corporation - In response to a request from Charles Richardson for an indication of the Town Board's support, Mr. Cook offered the following Resolution which was seconded by David Lyon — PEDC

BE IT RESOLVED, that the Town Board of the Town of Palmyra recognize and support the Palmyra Economic Development Corporation - considering that this is the only organization actively seeking to draw and expand business and employment in our Town. A purpose of this organization is to take advantage of all State and Federal support of business expansion;

BE IT FURTHER RESOLVED, that a representative of the Town Board be appointed to serve as liaison between the Town of Palmyra and the Palmyra Economic Development Corporation.

Under discussion, Supervisor Aplin questioned some points in the Resolution and Mr. Sinclair asked if the PEDC was the only organization of this kind in the Town of Palmyra. Mr. Cook responded that this organization grew out of the Chamber of Commerce. Mr. Aplin referred to some serious problems which resulted when the County endorsed 2 agencies which were also non-profit private organizations. Following considerable discussion, a motion to table this Resolution to the next meeting was made by David Lyon, seconded by Donald Sinclair and passed with 4 ayes. — MOTION TO TABLE RESOL.

Town Building Committee - David Lyon, Chairman — TN.BLDG.COM.

Mr. Lyon gave a report on the meeting concerning the Building improvements which was held Thursday, January 21, 1982. At that time, the Committee reviewed proposals, discussed energy savings, efficiency in utilizing the building, recommendations concerning the use of the building, also, recommendations on priorities. Judson Roney contributed to the discussion - he has been directly involved with the paperwork and personnel on the New York State Energy Audit and with local contractors who have been correcting some heating and plumbing problems as well as local people who would be interested in submitting estimates for work to be done. — DISC. RE: BLDG. IMPR.

Town Attorney Paul Rubery joined the meeting at 8:20 P.M.

Mr. Lyon also reported that he had requested Hershey-Malone to submit a proposal which would provide Engineering, Architectural and Technical services for the proposed building improvements. At this time, Mr. Lyon indicated that he had received a proposal from Hershey-Malone which he reviewed with the Board. The proposal stated that the initial phase would be to evaluate and prepare a preliminary plan and cost estimates to implement - at a total maximum cost not to exceed $1500. After a decision by the Board, Hershey-Malone would prepare detailed plans, specifications and bidding documents at a cost not to exceed 7% of the construction value of the selected improvements as authorized by the Board. Councilman Lyon stated that he felt this was a lot of Engineering money for projects involved but, following lengthy discussion, on possible ways of coping with the Building improvements, a Resolution was offered by Donald Sinclair.

Motion number: 1982 - 0005 Date: January 28, 1982 — MOTION NO. 1982-0005

Motion by: Donald Sinclair, seconded by Nelson Cook

Title: Authorization to hire Hershey-Malone Associates — AUTHOR. TO HIRE H-M

Resolved, that the Town Board of the Town of Palmyra authorize Hershey-Malone & Associates to provide engineering, architectural and technical services as may be required for the proposed building improvements at the Palmyra Town Hall,

MOTION NO. 1982-0005 CONT'D

the bids to be prepared (1) as a complete job and (2) as separate options and the cost not to exceed $1500 (letter of 1/27/82 from Hershey-Malone & Assoc.)

After further discussion, the motion was carried with 4 ayes.

DISC. W/ T.J. ABBOTT RE: CONTR.EXP.

At this time, Town Justice William Abbott who had requested time to speak with the Board, came before the Board to express his concern in regard to the Town Justices Contractual Expenses Account - Town Budget 1982. Lengthy discussion followed.

OTHER BUSINESS

Other business -

(1) Use of Voting Machine - Communication # 1

MOTION NO. 1982-0006

APPR. FOR USE OF VOT. MACHINE

Motion number: 1982-0006 Date: January 28, 1982

Motion by: Nelson Cook, seconded by David Lyon

Title: Approval for Use of Voting Machine

Resolved, that the Town Board of the Town of Palmyra approve the request of the Village of Palmyra for the use of a Voting Machine for the Village Election to be held March 16, 1982. The Village of Palmyra is to be responsible for the transportation of the machine.

Motion carried with 4 ayes.

ANNUAL REPORTS

(2) Annual Reports -

MOTION NO. 1982-0007

TN CLK'S ANN. REPORT

Motion number: 1982 - 0007 Date: January 28, 1982

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Town Clerk's Annual Report

Resolved, that the Town Board of the Town of Palmyra receive and file the Town Clerk's Annual report for 1981.

Motion carried with 4 ayes.

BINGO

(3) Bingo - Application to Amend License - Loyal Order of Moose

MOTION NO. 1982-0008

APPR. TO AMEND BINGO LIC.(MOOSE)

Motion number: 1982 - 0008 Date: January 28, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Approval of Application to Amend Bingo License

Resolved, that the Town Board of theTown of Palmyra approve the application to amend Bingo License # 14076 as submitted by Loyal Order of Moose - Palmyra Lodge # 1420.

Motion passed with 4 ayes.

APPT. OF DEP.CLK

(4) Appointment of 2nd Deputy Town Clerk - The Town Clerk submitted the name of Leona Busch as 2nd Deputy Town Clerk at a starting salary of $3.50 per hour.

MOTION NO. 1982-0009

APPT. OF L. BUSCH

Motion number: 1982 - 0009 Date: January 28, 1982

Motion by: Donald Sinclair, seconded by Nelson Cook

Title: Appointment of 2nd Deputy Town Clerk

Resolved, that the Town Board of the Town of Palmyra approve the appointment of Leona Busch as 2nd Deputy Town Clerk for the Town of Palmyra at a salary of $3.50 per hour.

Motion carried with 4 ayes.

TEMP. ASSIGN. OF JUSTICES

(5) Request concerning temporary assignment of Justices - Supervisor Aplin advised the Board of the request from the Seventh Judicial District for the consent of the Town Board concerning temporary assignment of Palmyra Justices as need arises during the year 1982. Following comments on this request from Town Attorney Paul Rubery, a Resolution was offered for the Board's consideration.

MOTION NO. 1982-0010

APPR. FOR TEMP.ASSIGN.

Motion number: 1982 - 0010 Date: January 28, 1982

Motion by: David Lyon, seconded by Donald Sinclair

Title: Approval for Temporary Assignment of Justices

Resolved, that the Town Board of the Town of Palmyra consent to the temporary assignment of its town justices to preside in other town courts in the Seventh

Judicial District as need arises during the year 1982 and approves the temporary assignment of judges from other town courts in the Seventh Judicial District to its court as need arises during the year 1982, providing that the convenience of the Palmyra justices who are part time is considered. MOTION NO. 1982-0010 CONT'D

Motion was carried with 4 ayes.

(6) File Cabinent for Town Justice Hunt - Supervisor Aplin brought to the Board's attention the need of a file cabinent which can be locked for Justice Hunt. This led to a discussion of the expenditures made so far by Justice Hunt and the Board members posed questions in regard to what are the actual requirements for Justices - for example, schooling, books, dockets, equipment, etc.. Considerable discussion followed. FILE CABINENT

(7) Office copier - There was a brief discussion on the replacement of the copier in the Town Office but no decision was made at this time. COPIER

The motion to approve payment of Vouchers as shown on Abstract # 1 A (deferred from earlier in the meeting) was made by Nelson Cook, seconded by Donald Sinclair and passed with 4 ayes - David Lyon abstained on Voucher # 27. The Vouchers were listed by Funds as follows: MOTION TO PAY BILLS

Abstract # 1 A -

GENERAL FUND	Vouchers	# 24 - 44	$ 3253.95
PART TOWN FUND	"	# 5 - 7	794.13
FEDERAL REVENUE SHARING	"	# 3	3050.00
HIGHWAY ITEM III	"	# 17 - 26AB	1483.62
HIGHWAY ITEM IV	"	# 4 - 8	10202.17
SOUTH WATER DISTRICT	"	# 1	11.93
TOTAL			$18795.80

The motion to adjourn was made by Donald Sinclair, seconded by Nelson Cook and passed with 4 ayes. MOTION TO ADJOURN

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

February 11, 1982

MEETING OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held at 7:30 P.M. on Thursday, February 11, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin.

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

ROLL CALL

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

Others attending the meeting were: Assessor /Zoning Officer Judson Roney, Town Attorney Paul Rubery, Town Justice Albert Hunt, Chuck Lyons of the Courier-Journal, Stephen Hays, Charles Richardson and Richard Watson of the PEDC, Larry Mooney and Peter Buck, Deputy Supervisor.

MOTION TO APPR. MIN. 1/5 & 1/14

Following a review of the minutes submitted for approval, a motion was made by Edwin Wheeler, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of January 5th and January 14th. Motion passed with 4 ayes.

COMMUNICATIONS

Communications -

1. Letter from the Department of Transportation re: Route 31 By-pass
2. Letter and Petition from residents on East-Palmyra - Port Gibson Road re: Speed Limit
3. Letter to Paul Rubery re: Breferential rights to 4125 feet of West Shore Branch of Penn Central
4. Report from Hershey Malone & Associates re: Master Meter - North Water District
5. Memo from John DeTaeye re: office cleaning

MOTION TO REC & FILE COMMUN.

The motion to receive and file the communications was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes. (Town Councilman Donald Sinclair joined the meeting while the communications were being read.)

MOTION TO PAY BILLS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by David Lyon, seconded by Nelson Cook to approve payment of Vouchers as shown on Abstract # 1B and # 2 with the exception of the Voucher from Monroe County Water Authority which will be re-submitted. Motion passed with 5 ayes. The Vouchers were listed by Funds as follows:

ABSTR. # 1B

Abstract # 1B -

GENERAL FUND	Vouchers # 45 - 46	$7741.76
PART TOWN FUND	" # 8 - 9	153.65
HIGHWAY ITEM IV	" # 9	676.77
NORTH WATER DISTRICT	" # 2 - 3	16.54
SOUTH WATER DISTRICT	" # 2 - 3	8.00
EAST WATER DISTRICT	" # 2 - 3	2.13
TOTAL		$8598.85

ABSTR. # 2

Abstract # 2 -

GENERAL FUND	Vouchers # 47 - 57	$ 1451.55
PART TOWN FUND	" #10 - 13	29610.03
HIGHWAY III	" # 27 - 35	1211.79
HIGHWAY IV	" # 10 - 13AB	9120.04
EAST WATER DISTRICT	" # 4	21.27
TOTAL		$41414.68

REPORTS OF COMMITTEES

Reports of Standing Committees

HIGHWAY

Highway Committee - Edwin Wheeler, Chairman

PREF. RGTS. R.R.PROP QUAKER RD.

(1) Preferential right[illegible] property on Quaker Road - The letter to Town Attorney Paul Rubery, Communication# 3, was referred to Mr. Wheeler. Mr. Rubery reviewed this matter with the Board, described the property involved, indicated the need to pursue the acquisition of this abandoned Railroad property and stated that the Board should try to acquire all or part of the

the section available. The matter was referred to Committee.

(2) Petition for Speed Limit on East Palmyra - Port Gibson Road

REQUEST FOR SPEED LIMIT

Town Councilman Lyon who was initially involved with this request, reviewed the background on the request and offered the following Resolution:

MOTION NO. 1982-0011

PETITION RE: SPEED LIMIT ON E.PAL PT.GIBSON RD. REF. TO COUNTY

Motion number: 1982 - 0011 Date: February 11, 1982

Motion by: David Lyon, seconded by Edwin Wheeler

Title: Referral of Speed Limit Petition to Wayne County Traffic Safety Board

Resolved, that the Town Board of the Town of Palmyra refer the Petition for Speed Limit on East Palmyra - Port Gibson Road to the Wayne County Traffic Safety Board with a letter of recommendation for investigation and approval steps by the Traffic Safety Board and New York State Department of Transportation to establish a a reduced speed limit on the East Palmyra - Port Gibson Road, Town of Palmyra, Wayne County, New York whereby the safety of the children and residents of the area will be protected.

Motion passed with 5 ayes.

Water Committee - David Lyon, Chairman

WATER COMM.

(1) Master Meter - North Water District

M.METER -NO. WATER DIST

Mr. Lyon, referring to Communication # 4, reported that on January 28, 1982 he, David Matthews, Harold Kruger and 2 representatives from the Monroe County Water Authority conducted a test on the Master Meter for the North Water District. He summarized the results of that test and reported that the meter itself is working properly, within 1 - 2 %. The problem appears to be a by-pass or cross connection from one of the old lines installed 30 to 50 years ago. In the Spring, probably April, an attempt will be made to locate the by-pass soo this matter can be corrected.

(2) Appointment of Water Billing Clerk

MOTION NO. 1982-0012

APPT. OF W. BILLING CLERK

Motion number: 1982 - 0012 Date: February 11, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Appointment of Water Billing Clerk

Resolved, that the Town Board of the Town of Palmyra approve the appointment of Leona Busch as Water Billing Clerk, effective March 1, 1982.

Under discussion, Supervisor Aplin questioned if the positions which are open in the Town Office were going to be handled by one person and Mr. Lyon responded that because of problems in the past with one person trying to handle all the positions, there will be one person appointed to the position of Secretary/Clerk in the Assessor's Office and that person will also be the Secretary to the Planning and Zoning Boards and one person will handle the positions of 2nd Deputy Town Clerk and Water Billing Clerk.

Motion passed with 5 ayes.

(3) Water Contract with the Village of Palmyra

WATER CONTR. W/ VILLAGE

Mr. Lyon reported that he and Mr. Cook have met with the Water Committee of the Village of Palmyra and, although there is nothing definite to report at this time, negotiations are continuing and it appears there will be no major increases in the new contract. Discussion followed.

Landfill Committee - Donald Sinclair, Chairman

LANDFILL COM

REPLY FROM DEC RE: EXT. OF PERMIT

A letter dated February 2, 1982 from the Department of Environmental Conservation in response to a letter sent requesting a 2 year extension on the Landfill Permit was read by Mr. Sinclair. This communication informed the Town of Palmyra that the Department of Environmental Conservation would grant a 6 months extension, expiring October 15, 1982, and requested the Town to advise the Department of their future plans by March 1, 1982.

ASSESSMENT, PL. & ZON.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

PEDC DISC. & PROPOSED RESOLUTIONS

(1) Palmyra Economic Development Corporation - Resolution tabled from January 28th. Prior to any action on the Resolution tabled at the January 28th Board meeting, Supervisor Aplin presented the following Resolutions concerning Industrial Development for the Board's consideration:

(A) WHEREAS, the Town of Palmyra is in need of commercial and industrial development to sustain its tax base and provide employment for its residents; and

WHEREAS, the Town of Palmyra can no longer afford to await commercial and industrial development but must actively pursue all avenues to insure economic stability;

NOW THEREFORE, be it resolved,

That the Town Board of the Town of Palmyra hereby agrees to actively pursue commercial and industrial development in the Town; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra shall take such action as may be permitted by law to develop areas and an attractive business climate which would attract commercial and industrial development in the Town of Palmyra.

(B) WHEREAS, the Palmyra Economic Development Corporation has been formed to attract commerce and industry to the Town and Village of Palmyra; and

WHEREAS, the Town Board of Palmyra desires to recognize the services which the PEDC has performed to date and encourage its future efforts;

NOW THEREFORE, be it resolved,

That the Town Board of the Town of Palmyra does hereby recognize the PEDC as a primary agency to bring commercial and individual development to Palmyra, New York; and

That the Town Board of Palmyra, in recognition of the efforts of the PEDC, does hereby recognize and endorse the efforts of the PEDC and agrees that the Town Board shall make every effort to assist the PEDC in its program; and

That the Town Board does hereby designate   of the Town Board as the liaison to the Town Board to assist the PEDC in attaining its goals.

MOTION TO VOTE ON THE RESOL.

A motion was made by Nelson Cook to bring back on the table the Resolution tabled at the January 28th meeting. The motion was seconded by David Lyon. Mr. Cook read the Resolution as presented at the January 28th meeting and stated that his intent was to support the PEDC. The Board, along with Charles Richardson, President of the PEDC and Richard Watson, a director of the PEDC, discussed this Resolution as well as the 2 Resolutions which were presented by Supervisor Aplin. A motion to call the question to vote on the Resolution was made by Nelson Cook, seconded by David Lyon and passed with 4 ayes and 1 no, Roy Aplin voting no. The clerk was requested to read the motion as originally presented:

BE IT RESOLVED, that the Town Board of the Town of Palmyra recognize and support the Palmyra Economic Development Corporation - considering that this is the only organization actively seeking to draw and expand business and employment in our Town. A purpose of this organization is to take advantage of all State and Federal support of business expansion;

BE IT FURTHER RESOLVED, that a representative of the Town Board be appointed to serve a liaison between the Town of Palmyra and the Palmyra Economic Development Corporation.

MOTION DEFEATED

The motion was defeated with a vote of 5 nayes.

MOTION TO PUT PROP. RESOL. IN COMM.

At this time, Councilman Nelson Cook offered a motion that the 2 proposed Resolutions be put in Committee and, subsequent to the receipt of the PEDC 1981 Annual Report, a final proposal (Resolution) will be presented at the next Town Board meeting for the Board's consideration. The motion was seconded by Edwin Wheeler and following further discussion, the motion was carried with 4 ayes and 1 no, Roy Aplin voting no.

MOBILE HOME PARKS

(2) Mobile Home Park Permits -

Mr. Cook reported that he had made a visual inspection of the Mobile Home Parks and found the Parks to be inor...

MOTION NO. 1982-0013

Motion number: 1982 - 0013   Date: February 11, 1982

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Approval of Applications for Annual Permits - Mobile Home Parks

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:

March 3, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 10th day of March 19 82

Judith A. MacDuff
Notary Public

Fee: $41.58

TOWN OF PALMYRA SUPERVISOR'S REPORT
AS OF DECEMBER 31, 1981

FUNDS	Balance 1/1/81	Receipts	Payments	Balance 12/31/81	Balance 12/31/81 Totals
GENERAL					
TOWNWIDE	$141846	$170327	$191008	$121265	$121265
PART-TOWN	101340	88830	55101	136069	136069
HIGHWAY					
ITEM I & IA REPAIRS & IMPROVE.	47570	153115	119347	81338	81338
ITEM II BRIDGES	3274	453		3727	3727
ITEM III MACHINERY	11400	56513	46748	21165	21165
ITEM IV SNOW & MISC.	3348	100146	90957	12537	12537
FEDERAL REVENUE SHARING FUND	37796	48327	31947	54176	54176
CAPITAL FUNDS					
HOUSING FACILITIES	35226	2454	37044	636	
REFUSE DISPOSAL	5226	853		6079	
MACHINERY RESERVE	26998	7761	11151	23608	
PROJECT #1	3397	799	3333	863	31186
FIRE PROTECTION					
PALMYRA	None	21000	21000	None	None
EAST PALMYRA	None	8035	8035	None	None
PORT GIBSON	None	1300	1300	None	None
WATER DISTRICTS					
NORTH WATER	23555	27523	22616	28462	28462
SOUTH WATER	10609	14481	11529	13561	13561
EAST WATER	2308	10430	10210	2528	2528
GRAND TOTALS	$453993	$711347	$659326	[illegible]06014	$506014

Respectively submitted
David C. Lyon
Supervisor
(954) (M-2)

Resolved, that the Town Board of the Town of Palmyra approve the applications for Annual Permits for the operation of Mobile Home Parks in the Town of Palmyra. MOTION NO. 1982-0013 CONT'D M. H. PARKS

Motion passed with 5 ayes.

(3) Proposed Zoning Ordinance - Mr. Cook reported that the Proposed Zoning Ordinance is completed and the Planning Board has made a request to have the Town Board meet with them (Planning Board) at 8:00 P.M. Tuesday, February 23rd to review the Ordinance. Mr. Roney will at that time present the Planning map. Following discussion, the Town Board agreed to meet with the Planning Board, but wished to do so on either March 2nd or 9th at 8:00 P.M.. Mr. Roney suggested a letter be sent to the Chairman of the Planning Board to determine the date of the combined meeting. PROP. ZON. ORDIN.

(4) Appointment of Secretary/Clerk for the Assessor's Office MOTION NO. 1982-0014

Motion number: 1982 - 0014 Date: February 11, 1982

Motion by: Nelson Cook, seconded by David Lyon APPT. OF SEC/CLK ASSESSOR'S OFFICE

Title: Appointment of Secretary/Clerk in Assessor's Office

Resolved, that the Town Board of the Town of Palmyra, upon the joint decision of the Assessment, Planning & Zoning Committee and the Assessor, appoint Mrs. Susan O'Meal as Secretary/Clerk to the Assessor and Secretary to the Planning and Zoning Boards.

Under discussion, Supervisor Aplin stated his objections to this appointment, not any opposition to the applicant but, in his opinion, the position should have been advertised. Mr. Lyon responded that, when positions have been advertised in the past, it has proven to be a waste of time because there have been too many unqualified persons apply. The word went out that the position was available and 6 people did apply, 4 were qualified and were tested. Mr. Sinclair questioned the results of the testing and Mr. Roney replied that Mrs. O'Meal was found to be best qualified. DISCUSSION

Motion passed with 4 ayes and 1 no, Roy Aplin voting no.

(5) Application for Special Authorization - Judith Quigley APPLIC. FOR SPEC. AUTHOR (QUIGLEY)

Mr. Cook advised the Board that the Town has received an application for Special Authorization from Judith Quigley to operate a Beauty Shop at 4325 Newark Road, the Maier property. Mr. Cook offered the motion to refer this application to the Planning Board for their recommendations and to advertise for a Public Hearing to be held Thursday, March 11, 1982 at 7:30 P.M. in the Town Office. The motion was seconded by Edwin Wheeler and passed with 5 ayes. MOTION TO REFER REQ. TO PL.BD. & ADV.-PUB.HRG

(6) Application of James Washburn for Renewal of permit for a Mobile Home. APPLIC. OF J.WASHBURN

Mr. Cook made the motion to approve an extension of 1 year on Mr. Washburn's application for renewal of a Permit to use a Mobile Home for a residence at 4417 North Creek Road to allow some time for the Town to investigate this matter and to give Mr. Washburn an opportunity to build. The motion was seconded by Donald Sinclair and following some discussion, Mr. Cook withdrew his motion and Mr. Sinclair withdrew the second to the motion. Town Attorney Paul Rubery advised the Board that Mr. Washburn should apply for a Building Permit before the Board can act on his request. RENEWAL OF PERMIT FOR MOBILE HOME

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

Mr. Lyon reported briefly on the meeting he and Mr. Roney had with representatives of Hershey Malone & Associates concerning renovations to the Town Building and he expects to receive a report by the end of February. MTG. W/ H M

Other Business - OTHER BUS.

(1) Annual Reports - A motion was made by Edwin Wheeler, seconded by Donald Sinclair to receive and file the Annual Reports of the Town Historian ANNUAL REPORTS

and the Supervisor. Motion passed with 5 ayes.

(2) Town Justices - File Cabinent for Justice Hunt

TOWN JUSTICES

FILE FOR A. HUNT

MOTION TO PURCHASE FILE

Supervisor Aplin reported to the Board concerning some prices for a file cabinent for Town Justice Hunt. A motion was made by Edwin Wheeler, seconded by Donald Sinclair that the Supervisor contact some Wayne County businesses to check and compare prices, then purchase a cabinent for the best price. Motion passed with 5 ayes.

GEN. DISC. RE: JUSTICE EXPENSES

The Board along with Town Attorney Paul Rubery and Town Justice Hunt discussed in general Town Justices' expenses - estimated, contractual, etc.. Town Attorney Rubery also reviewed with the Board and Justice Hunt a list of expenses.

MOTION TO ADJOURN

A motion to adjourn this meeting was made by Nelson Cook, seconded by Donald Sinclair and passed with 5 ayes.

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

February 25, 1982

MEETING OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held at 7:30 P.M. on Thursday, February 25, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin.

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

ROLL CALL

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

Others attending the meeting were: Town Highway Superintendent James DeBrine, Town Attorney Paul Rubery, Assessor/Zoning Officer Judson Roney, Peter Buck, Deputy Supervisor, Stephen Hays, Chuck Lyons of the Courier-Journal, James Hoyt, Kevin and Mark Wright.

MOTION TO APPR. MIN. OF 1/28

Following a review of the minutes submitted for approval, a motion was made by Edwin Wheeler, seconded by Donald Sinclair to dispense with the reading of and approve as submitted the minutes of the January 28th meeting. Motion passed with 4 ayes.

COMMUNICATIO[NS]

Communications -

(1) Letter from Cablevision Industries, Inc. notifying the Town of Palmyra of payment of Franchise fees for 1981 in the amount of $624.78.

(2) Letter of resignation from Susan O'Meal

The motion to approve payment of Vouchers on Abstract # 2A was deferred to later in the meeting.

REPORTS OF COMMITTEES

Reports of Standing Committees -

Highway Committee - Edwin Wheeler, Chairman

HIGHWAY R.R. PROP. QUAKER RD.

A motion was offered by Edwin Wheeler, seconded by David Lyon to add to the agenda the subject of the abandoned Penn Central property on Quaker Road. Motion passed with 4 ayes.

Mr. Wheeler advised the Board of a meeting on Saturday, February 27th at 9:00 A.M. to look over the land on Quaker Road, 4125 feet of West Shore Branch, Penn Central Corporation, being abandoned by the railroad, which the Town is interested in acquiring. The Board, along with the Town Attorney, discussed the property and steps to be taken to continue the acquisition of the property in question. Town Attorney Paul Rubery was directed to send a letter in regard to the 120 day time limit - to establish the fact that the time limit can't be figured from the letter received in October. It is expected that recommendations and a Resolution will be presented at the next meeting.

LIGHTING CONTRACT

Supervisor Aplin reported that a representative of the New York State Electric & Gas Corporation had been in the Town Office to talk about the new billing procedures and new applications (Contract) for Street and Bridge lighting. This matter was referred to the Town Attorney who reviewed the applications and the Schedule for Electric Service with the Board. Several important facts were brought out by Town Attorney Rubery. General discussion followed and this matter was referred to Committee. Mr. Rubery and Mr. DeBrine were asked to work with the Committee.

Town Justice Albert Hunt joined the meeting at this time.

WATER COMM.

Water Committee - David Lyon, Chairman

(1) Water Contract with the Village of Palmyra

Mr. Lyon reported that negotiations concerning the contract are continuing and he hopes to have a contract by the next meeting.

LANDFILL COMMITTEE

Landfill Committee - Donald Sinclair, Chairman

VIOLATION AT LDFL

(1) Violation by Campbell & Hubright Disposal Service

Mr. Sinclair reported to the Board concerning a violation at the Palmyra

DISC. OF VIOLATION AT LANDFILL CONT'D

Landfill which was brought to his attention by Kevin Wright of Wright's Disposal Service. It was apparent that refuse had been brought in from outside Palmyra. Mr. Sinclair and Kevin Wright went to the Landfill and pulled some refuse and verified the facts - they found various Newark Addresses in several different bags. From a description of the truck, it was determined that the hauler was Campbell & Hubright Disposal Service. Mr. Sinclair contacted Al Campbell, one of the owners, talked with him concerning the violation and Mr. Campbell stated that he was unaware of the violation but would contact the driver who picked up the refuse in Newark. Mr. Sinclair met again with Al Campbell and the driver who did admit to picking up the refuse in Newark and to dumping it at the Palmyra Landfill. Mr. Sinclair contacted Supervisor Aplin and they discussed the situation. It was Mr. Sinclair's suggestion that Campbell & Hubright be sent a letter of reprimand, noting the violation and giving a severe warning. Supervisor Aplin indicated that there have been problems in the past but very few problems over the years with the haulers. Mr. Sinclair stated that he didn't feel the driver was acting on any instructions from his employers. Following discussion on this matter, the following Resolution was offered for the Board's consideration:

MOTION NO. 1982-0015

NOTICE OF VIOLATION

Motion number: 1982 - 0015 Date: February 25, 1982

Motion by: Donald Sinclair, seconded by David Lyon

Title: Notice of Violation of the Rules and Regulations of the Sanitary Landfill

BE IT RESOLVED, that any future violation of the Rules and Regulations or the Ordinance governing the use of the Sanitary Landfill of the Town of Palmyra by Campbell & Hubright, Inc. or its' agents or employees shall result in the suspension and eventual termination of the right of Campbell & Hubright, Inc. to use the Town of Palmyra Sanitary Landfill, and

BE IT FURTHER RESOLVED, that the Town Attorney is instructed to send a letter to Campbell & Hubright informing them of the Board's decision in this matter.

Motion passed with 4 ayes.

PERSONNEL PROBLEM AT LANDFILL

(2) Personnel problem at the Landfill - this matter will be taken up later in an Executive session.

ASSES., PL & ZON. COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

Town Councilman David Lyon brought to the Board's attention the items under this Committee in Mr. Cook's absence.

ZON. ORD.

(1) Zoning Ordinance -

Mr. Lyon reminded the Board of the meeting with the Planning Board on Tuesday, March 9th at 8:00 P.M. in the Town Office.

APPLIC. FOR SPEC. AUTHOR. J. HOYT

(2) Application of James Hoyt for Special Authorization -

Mr. Lyon advised the Board of the receipt of an Application from James Hoyt for Special Authorization to operate an Auction Barn on Cambier Road in the Town of Palmyra.

MOTION TO REFER APPLIC. TO PL BD & ADV. FOR PUBL HRG.

A motion was made by David Lyon, seconded by Edwin Wheeler to refer the application of James Hoyt to the Planning Board for recommendations and to advertise for a Public Hearing to be held on Thursday, March 25th at 7:30 P.M. in the Town Office.

Motion passed with 4 ayes.

RESIGNA. OF S. O'MEAL

(3) Resignation of Susan O'Meal as Secretary/Clerk in the Assessor's Office (Communication # -), and Appointment of a Secretary/Clerk in the Assessor's Office.

MOTION TO APPT. JUDY TAYLOR

A motion was made by David Lyon, seconded by Donald Sinclair to appoint Judy Taylor as Secretary/Clerk in the Assessor's Office and Secretary to the Planning and Zoning Boards at a salary of $3.75 per hour.

Under discussion, Mr. Lyon informed the Board that, due to Sue O'Meal's resignation, the Committee and Mr. Roney made the decision to ask Judy Taylor to accept the appointment. Mrs. Taylor was second in line at the time the applicants were tested and because of the Training session next week, it was necessary to make the appointment at this meeting. The Board discussed this matter. Motion passed with 3 ayes and 1 no, Roy Aplin voting no. Mr. Aplin stated that this was not due to any opposition to Mrs. Taylor - his objection still is due to the lack of advertising the position.

MOTION RE: APPT. OF J. TAYLOR CONT'D

Town Building Committee - David Lyon, Chairman

TN. BLDG. COMM.

Mr. Lyon reported that he had contacted Hershey-Malone and there is nothing to report as yet.

At this time, the Board turned their attention to approval of Claims on Abstract # 2A, deferred from earlier in the meeting.

A motion was made by Edwin Wheeler, seconded by David Lyon to approve payment of Vouchers as shown on Abstract # 2A. Motion passed with 4 ayes. The Vouchers were listed by Funds as follows:

MOTION TO PAY BILLS

ABSTR. # 2A

Abstract # 2A -

GENERAL FUND	Vouchers	# 58 - 74	$ 4147.61
PART TOWN FUND	"	# 14	6250.00
HIGHWAY ITEM III	"	# 36 - 50	2253.56
HIGHWAY ITEM IV	"	# 14 - 17ABC	11180.31
NORTH WATER DISTRICT	"	# 4 - 5	162.22
SOUTH WATER DISTRICT	"	# 4 - 5	65.80
EAST WATER DISTRICT	"	# 5	14.48
NORTH WATER DISTRICT	"	# 6	1116.00
SOUTH WATER DISTRICT	"	# 6	540.00
EAST WATER DISTRICT	"	# 6	144.00
TOTAL			$25873.98

Other Business -

(1) Transfers of Funds-

TRANSFERS OF FUNDS

Motion number: 1982 - 0016 Date: February 25, 1982

MOTION NO. 1982-0016

Motion by: David Lyon, seconded by Edwin Wheeler

Title: Transfer of Funds ~~To~~ Town Clerk's Account ~~to~~ from Supervisor's Account

WHEREAS, the Account Clerk/Deputy Town Clerk attended the Association of Towns Meeting in New York February 14-17th and attended Sessions for both Town Clerk and Account Clerk, and

WHEREAS, all the expenses were charged to the Town Clerk-Contractual Expenses Account # A1410.4,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of one half of the expenses charged to the Town Clerk-Contractual Expenses in the amount of $161.91 from the Supervisor-Contractual Expenses Account # A1220.4 to the Town-Clerk Contractual Expenses A 1410.4.

Motion passed with 4 ayes.

Motion number: 1982 - 0017 Date: February 25, 1982

MOTION NO. 1982-0017

Motion by: David Lyon seconded by Edwin Wheeler

Title: Transfer of Funds - Unemployment Reserve to GeneralFund

WHEREAS, the Town of Palmyra was charged for Unemployment payments in the amount of $300 for former employee James Collett, and

WHEREAS, the monies in the Unemployment Reserve Account was invested and the charge was paid from the General Fund,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of $300 from the Unemployment Reserve Account to the General Fund Account A 9050.8.

Motion passed with 4 ayes.

(2) Recreation Program for Senior Citizens

SR. CIT. RECR. PROG.

Supervisor Aplin reported that the Town has received a copy of the Application for Funds for the Senior Citizens Recreation Program which indicates that the matching funds program for 1982 for the Senior Citizens has been approved.

(3) Notice of Training Session for the Dog Control Officer

TRG. SESSION FOR DCO

The Clerk advised the Board that notice has been received from the Department of Agriculture & Markets, Dog License Bureau concerning a Training session to be held at Cobleskill Agriculture & Technical College June 20th - 25th. Following a brief discussion, the Board requested the Clerk to contact the DCO to make certain he was aware of the Training session. He could then advise the Board of his decision.

MOTION TO HOLD EXEC. SESSION

A motion was made by Donald Sinclair, seconded by Edwin Wheeler to go into Executive session to discuss a personnel problem at the Landfill and the violation at the Landfill which was brought to the Board's attention earlier in the meeting. The Board authorized the attendance of the Town Attorney, Town Highway Superintendent and Town Clerk at this session. Motion passed with 4 ayes.

EXEC. SESSION

During the Executive session, the Board discussed the problem with personnel at the Landfill and gave some consideration to suspending the employee. Mr. DeBrine reviewed the background of this employee for the Board's information. The Board also discussed a letter which will be sent to Campbell & Hubright concerning the violation at the Landfill.

MOTION TO RETURN TO REG. SESSION

The motion to return to regular session was made by Edwin Wheeler, seconded Donald Sinclair and passed with 4 ayes.

MOTION TO SEND LETTER RE: PERSON. PROBLEM

A motion was offered by Edwin Wheeler that the Supervisor be authorized to send a letter pertinent to the personnel problem discussed during the Executive session. The motion was seconded by Donald Sinclair and passed with 4 ayes.

MOTION TO ADJOURN

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

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

March 3, 1982

Special Meeting

A Special Meeting of the Town Board of the Town of Palmyra was called by Supervisor Roy Aplin on March 3, 1982 at the Town Hall. Present were Councilmen David Lyon and Nelson Cook, the Supervisor and Town Attorney Paul Rubery. The purpose of the meeting was to discuss the recent accident involving a Town Highway truck and an Amtrak train on the South Creek Road in the Town of Palmyra on March 2, 1982.

The meeting was opened at 10:05 A.M.

A motion was made by David Lyon, seconded by Nelson Cook to go into executive session. Motion was passed.

After discussing the matter, a motion was made by Nelson Cook, seconded by David Lyon to go back into regular session. Motion was passed.

A motion was made by Nelson Cook, seconded by David Lyon to hire an investigator to investigate the accident. Motion was passed.

The motion to adjourn was made by Nelson Cook, seconded by David Lyon and passed. The meeting adjourned at 10:45 P.M..

Respectfully submitted,

Leroy R. Aplin, Supervisor

March 11, 1982

PUBLIC HEARING QUIGLEY

The Public Hearing scheduled to be held at 7:30 P.M. on Thursday, March 11, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Judith Quigley, Clifton Springs, New York for Special Authorization to operate a Beauty Salon, Craft & Retail store in the former Do-Nut Shop, also, Art Studio and Picture Framing Shop at 4325 Newark Rd. owned by Mrs. Elizabeth Maier, Towpath Manor, Palmyra, New York was opened by Supervisor Aplin.

The Proof of Publication was read by the Clerk.

Supervisor Aplin requested anyone who wished to speak for the record in favor of or against this application to do so at this time.

Mr. Conrad Kishbaugh of 4333 Newark Road stated that since the area is no longer used for farming and has been built up with homes, he had no objections to this request.

The Board questioned Judith Quigley in regard to several areas, such as, (1) separation of beauty shop and craft shop, (2) the downstairs apartment, (3) her place of business at the present time, (4) the distance of the proposed shop from Palmyra, (5) number of employees, (6) septic system and (7) increase or change in the retail section of the shop. Ms. Quigley responded to the questions stating the she hasn't as yet decided how she intends to set up the Beauty Shop and Craft Shop, that she has been in business at the Professional Building, East Main Street for 11 years, that the proposed shop is 2.3 miles from Palmyra, that she has 1 employee at present and may go to 3 or 4 depending onthe business. In response to the question concerning the septic system, Ms. Quigley indicated it was adequate and Mr. Roney agreed. Mr. Roney also stated that if the application was approved, the retail section would be limited to what has been requested on the application.

PL. BD. RECOMMENDATIONS

The following recommendations from the Planning Board were read by the Clerk:

To: Town Board   From: Planning Board   March 11, 1982

QUIGLEY: The Board members expressed concern over the septic system and were informed that there are two systems operating on the property and Ms. Quigley is prepared for future replacement of the system. The Board voted unanimously to recommend approval of the application to convert the Maier property as proposed.

HEARING CLOSED

Supervisor Aplin declared the hearing closed at 7:45 P.M.

REGULAR MEETING OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled for Thursday, March 11, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order at 7:47 P.M. by Supervisor Aplin.

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

ROLL CALL

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

Others attending the meeting were: Judith Quigley, Ronald Mahalik, Beth Maier, Conrad Kishbaugh, Stephen Hays, Chuck Lyons, Peter Buck, Steve Butler, Joan Smith, Judson Roney and Paul Rubery.

MOTION TO APPR. MIN. 2/11/82

Following a review of minutes submitted for approval, a motion was made by Nelson Cook, seconded by Edwin Wheeler to dispense with the reading of and approve as submitted the minutes of February 11, 1982. Motion passed with 4 ayes.

COMMUNICATIONS

Communications:

(1) Letter from Wayne County Cablevision in regard to a change in certain Channels.

AFFIDAVIT OF PUBLICATION

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

LEGAL

LEGAL NOTICE
NOTICE OF
PUBLIC HEARING
TOWN OF PALMYRA

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Palmyra will hold a Public Hearing at 7:30 P.M. on Thursday, March 11, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Judith A. Quigley, R.D. #1 Clifton Springs, New York for Special Authorization to operate a Beauty Salon, Craft & Retail store in the former Do-Nut Shop also, Art Studio and Picture Framing Shop owned by Mrs. Elizabeth Maier Towpath Manor Palmyra, New York. These premises located at 4325 Newark Road in the Town of Palmyra, are situated in an Agricultural Zone and are bounded on the West by Route 31, on the North and East by New York State Barge Canal lands and on the South by lands of one Morris Mahoney.

Under the Town of Palmyra Zoning Ordinance Article III, Section 3.2 Paragraph b, Agricultural Zone, states: Use of land other than for Farm purpose requires [illegible] Special Authoriz[illegible] the [illegible]n Board. Special [auth]orization is subject to [Arti]cle VII, Section 7.1 of [the] Zoning Ordinance.

[T]he said Town Board will [at s]aid time and place hear persons in support of [the] application or any [obje]ctions thereto. Persons [may] appear in person or by [atto]rney or agent.

[D]ated: February 19, 1982
[B]y order of the Town [Boa]rd of the Town of [Pal]myra
[B]etty B. Stubbings, Town [Cler]k

(F24)

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. 24, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 26th **day of** Feb. **19**82

Judith A. MacDuff
Notary Public

Fee: $ 18.00

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
47[illegible]725
Expiration Date March 30, 198[illegible]

AFFIDAVIT OF PUBLICATION

STAT[illegible]

Co[illegible]

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. 24, 1982

Rosalie J. Mouton

Foreman of the Publisher

Subscribed and sworn to before me

this 26th day of Feb. 19 82

Judith A. MacDuff

Notary Public

Fee: $ 18.00

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4705126
Expiration Date March 30, 1983

Town Board — Special Authorizations subject to Article VII, Section 7.14 of the Zoning Ordinance.

The said Town Board will at said time and place hear all persons in support of said application or any objections thereto. Persons may appear in person or by attorney or agent.

Dated: February 19, 1982

By order of the Town Board of the Town of Palmyra.

Betty B. Stubbings, Town Clerk

(953) (F24)

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Nelson Cook to approve payment of the Vouchers as shown on Abstract # 2B and # 3. Motion passed with 4 ayes. The Vouchers were listed by Funds as follows: — MOTION TO PAY BILLS

ABSTRACT # 2B

Abstract # 2B -

GENERAL FUND	Vouchers # 75 - 76	$ 7742.01
PART TOWN FUND	" # 15 - 16	173.65
HIGHWAY ITEM IV	" # 18	684.98
NORTH WATER DISTRICT	" # 7 - 8	99.22
SOUTH WATER DISTRICT	" # 7 - 8	48.01
EAST WATER DISTRICT	" # 7 - 8	12.81
TOTAL		$ 8760.68

ABSTRACT # 3

Abstract # 3 -

GENERAL FUND	Vouchers # 77 - 91	$ 2950.69
PART TOWN FUND	" # 17 - 19	5259.11
HIGHWAY ITEM III	" # 51 - 66	1465.23
HIGHWAY ITEM IV	" # 19 - 22AB	10167.07
NORTH WATER DISTRICT	" # 9 - 13	1360.53
SOUTH WATER DISTRICT	" # 9 - 10	313.71
EAST WATER DISTRICT	" # 9	291.67
TOTAL		$21808.01

Reports of Standing Committees - — REPORTS OF COMMITTEES

Highway Committee - Edwin Wheeler, Chairman — HIGHWAY

(1) Acquisition of R.R. Property - Quaker Road — ACQ. OF R.R. PROP.-QUAKER

Mr. Wheeler reported that he had called a Committee meeting for Saturday, February 27th at 9:00 A.M. and he had requested Town Attorney Paul Rubery, Town Highway Superintendent DeBrine and Town Councilman David Lyon to attend. Mr. Wheeler was ill at the time but the others met, pursued the matter and viewed the property. Town Attorney Rubery stated that as a result of that meeting, the Committee felt the Town should pursue the options and exercise the preferential rights to the property. He also stated that he would have a motion (Resolution) ready by the next meeting and would notify the Penn Central Corporation of the Town's decision to exercise it's preferential rights.

(2) Lighting Contract — LIGHTING CONTRACT

Mr. Rubery advised the Board that he has written the New York State Electric & Gas Corporation concerning the contract but stated that he has received no reply as yet. A brief discussion followed.

Mr. Wheeler indicated that he would like to defer the remaining items under his Committee to later in the evening at an Executive session.

Water Committee - David Lyon, Chairman — WATER COMM.

(1) Water Contract - Nothing has been received as yet from thee Village. Town Attorney Rubery advised the Board that he has not received any communication from the Village Attorney in regard to this matter.

Landfill Committee - Donald Sinclair, Chairman — LANDFILL

(1) Letter to Campbell & Hubright Disposal Service - — LETTER TO C & H

Mr. Sinclair reported that the letter as requested by the Board was sent and the return notice has been received.

(2) State Permit for Operation of Landfill - — STATE PERMIT

Nothing to report.

(3) Personnel items will be discussed at the Executive session.

(4) Nelson Cook informed th[e Bo]ard that he had received a request from the Vinc Lombardi Association to bury some obsolete equipment at the Landfill with someone present. — REQUEST FRO V.LOMBARDI ASSOC.

Assessment, Planning and Zoning Committee - Nelson Cook, Chairman — ASSESS.PL & ZON.

(1) Application of Judith Quigley for Special Authorization — APPLIC. OF J.QUIGLEY

The following Resolution was offered for the Board's consideration:

MOTION NO. 1982-0018

QUIGLEY SPEC. AUTHOR.

Motion number: 1982 - 0018 Date: March 11, 1982

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Approval of Application for Special Authorization - Quigley

Resolved, that the application of Judith Quigley for Special Authorization to operate a beauty salon, craft and retail shop at 4325 Palmyra-Newark Road be approved with the restriction that there will be no parking along the highway in the area of the above cited location, and

Be It Further Resolved, that approval is granted only for conducting those activities stipulated in the application for Special Authorization.

Motion passed with 4 ayes.

(2) Application of Stephen Butler for an Extension of Permit for a Mobile Home

BUTLER APPLIC.

Mr. Butler was present and spoke to the Board in regard to his request. He presented the background on his original request - that his house had burned and he was using the mobile home as a residence while the renovations were being done. He stated that he needs the extension to complete the renovations. Mr. Roney advised the Board that the original permit was granted for 6 months with the stipulation that Mr. Butler could apply for an extension if it was needed. The following Resolution was presented for the Board's consideration:

MOTION NO. 1982-0019

BUTLER REQ. FOR EXT. OF PERMIT

Motion number: 1982 - 0019 Date: March 11, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Approval of Request for Extension of Permit - Butler

Resolved, that the Town Board of the Town of Palmyra approve the request of Stephen Butler, 2570 Harris Road for an extension of 4 months on his original permit of 6 months issued in August 1981 for the placement and use of a mobile home at the above site. The extension is granted with the stipulation that the mobile home be removed within a reasonable time after June 30, 1982 or sooner if possible.

Motion passed with 4 ayes.

(3) Application for Waste Disposal Permits - Gerald East and Donald East

APPLIC. FOR W. DISP. PERM.

The Board discussed these annual permits and had questions concerning the State permits and the property involved.

The following Resolution was offered for the Board's consideration:

MOTION NO. 1982-0020

PERMITS FOR G. EAST & D. EAST

Motion number: 1982-0020 Date: March 11, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Approval of Waste Disposal Permits

Resolved, that the Town Board of the Town of Palmyra approve the renewal of Waste Disposal Permits for 1982 for Gerald East and Donald East with the condition that a copy of a current DEC Waste Disposal Permit is submitted to the Town Clerk and that a copy of the renewal of the State Permit (August 1982) is submitted to the Town Clerk at that time.

Motion passed with 4 ayes.

(4) Mobile Home Park Permits

PROBLEM AT MORGANTI'S TRL. PARK

Mr. Cook reported that, following the approval of the Annual Permits for the Mobile Home Parks in the Town of Palmyra, a problem at Morganti's Park on Route 31 was brought to the Board's attention. The problem (a land-lord tenant situation) has been investigated and reviewed. Mr. Cook has been assured that the problem will be corrected when the weather permits, but, Mr. Morganti's Annual Permit is being held until the situation is corrected.

(5) Secretary/Clerk for the Assessor's Office

A motion was made by Nelson Cook, seconded by Donald Sinclair to add to the agenda the subject of a Secretary/Clerk in the Assessor's Office. Motion passed with 4 ayes. MOTION TO ADD TO AGENDA

Mr. Cook reported thatJudy Taylor who was appointed as Secretary/Clerk in the Assessor's Office on February 25th, had notified Mr. Roney that she declined the appointment. Both Mr. Cook and Mr. Roney felt the position should be advertised and, by setting Saturday March 20th as a deadline, hopefully, a candidate could be presented at the March 25th meeting. SEC/CLK ASSESS. OFFICE

A motion was made by Roy Aplin, seconded by Donald Sinclair to advertise the position of Secretary/Clerk for the Assessor's Office. Motion passed with 4 ayes. The question of the number of working hours is to be resolved in Committee. MOTION TO ADV. FOR SEC/CLK

(6) Palmyra Economic Development Corporation

Supervisor Aplin distributed copies of the Annual reports received from the PEDC. Noting that the reports were not signed, the Board, following some discussion, stated that they want a Financial Statement and a Verified Audit Report. PEDC

Town Building Committee - David Lyon, Chairman

The renovation project is in the Engineer's hands and, at this point, there is nothing to report. TN. BLDG. COMM.

Other Business - OTHER BUSINESS

(1) Insurance

The Board discussed bidding out the Insurance needed by April 6th. Mr. Rubery advised the Board of the status of the Insurance coverage and indicated he would discuss the matter during the Executive session. INSURANCE

(2) Justices' needs

Mr. Aplin brought to the Board's attention a communication from Town Justice Hunt which advised the Board that he will attend an Advanced Certified Course August 20-21st at Monroe Community College in Rochester and the County Magistrates meetings in Newark once a month. Town Attorney Rubery advised the Board that the Advanced Justice Training is a necessary and proper expense.

A motion to go into Executive Session with the Highway Superintendent, Town Attorney and Town Clerk in attendance was offered by Edwin Wheeler, seconded by Donald Sinclair and passed with 4 ayes. Subjects to be discussed were possible litigation, Insurance, Landfill and personnel matters. MOTION FOR EXEC. SESS.

After returning to regular session, the following Resolutions were offered for the Board's consideration. REG. SESS. RESUMED

Landfill - LANDFILL

Motion number: 1982 - 0021 March 11, 1982 MOTION NO. 1982-0021

Motion by: Donald Sinclair, seconded by Edwin Wheeler

Title: Decision to Re-submit request for Extension of State Permit for the Operation of the Sanitary Landfill REQ. FOR EXT. OF PERMIT

Resolved, that the Town Board of the Town of Palmyra request Hershey, Malone Associates to re-submit the request to the Department of Environmental Conservation for an extension of the State permit to operate the Sanitary Landfill in the Town of Palmyra for the remainder of it's useful life.

Motion passed with 4 ayes.

Insurance - INSURANCE

Motion number: 1982 - 0022 Date: March 11, 1982 MOTION NO. 1982-0022

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Approval to Advertise for Bids for Insurance Coverage

MOTION NO. 1982-0022 APPR. TO ADV. FOR INSURANCE

Motion number: 1982 - 0022 Continued

Resolved, that the Town Board of the Town of Palmyra approve the advertising of bids for a portion of its insurance coverage which expires April 6, 1982, and for the acquisition of a new policy to protect its employees. The bids must be submitted in writing to the Town Clerk before 5:00 P.M. on March 25, 1982 in sealed envelopes. The bids will be opened at 7:45 P.M. on March 25, 1982.

MOTION TO ADJOURN

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

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

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

[illegible]

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 3, 1982..

....

....

....

Rosalie J Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 10th day of March 1982

Judith A. MacDuff
Notary Public

Fee : $17.08

JUDITH A. MacDUFF
Notary Public for the
State of New Y[illegible] County of Wayne
4[illegible]126
Expiration Date March 30, 1983

March 25, 1982

PUBLIC HEARING OPENED

J. HOYT REQUEST FOR SPEC. AUTHORIZ.

The Public Hearing scheduled to be held at 7:30 P.M. on Thursday, March 25, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of James C. Hoyt, 3167 Cambier Road, Marion, New York for Special Authorization to use an existing barn as an Auction Barn was opened at 7:35 P.M. by Supervisor Aplin.

The Proof of Publication was read by the Clerk.

Supervisor Aplin stated that anyone who wished to speak in favor of or against this application should do so at this time.

AUCTION BARN

Supervisor Aplin questioned Mr. Hoyt concerning (1) the kind of auctions he intends to conduct and (2) the barn and the property involved. Mr. Hoyt responded that the auctions would be for antiques and household items. He also informed the Board that the existing barn, a former dairy barn, is approximately 100 ' x 25 ' (upstairs). Mr. Roney offered the information that the barn is a Quonset - type building and part of the roof (about 5% on the West end) is missing. After further questions from Mr. Aplin in regard to conditions and safety of the electrical wiring and what there is for sanitary facilities, Mr. Hoyt stated that at present the power is off, but if his application is approved, the barn will be re-wired and the one corner of the roof will be replaced.

DISCUSSION

Mr. Roney suggested that a letter from L. Rawlings, an adjacent property owner, should be read into the record. The Clerk read the letter at this time (the letter is on file with Mr. Hoyt's application). Several points in this letter were found to be in error. Mr. Roney informed the Board that Mrs. Rawlings' son had called before the letter actually arrived inquiring about the Hoyt property and Mrs. Rawlings' property. The Board reviewed the map and discussed both properties at length. Mr. Roney stated that he had replied to the letter from Mrs. Rawlings informing her of what the records show about the properties in question. Other subjects covered during this discussion were (1) Sanitary facilities (2) Parking and enforcement of same (3) Number of people expected to attend (4) Water supply (5) Amount of land and road frontage (6) Sale of food and related regulations (7) Signs (8) Number of auctions to be held (9) Fire Protection and Insurance Protection (10) State Fire Prevention Code (will govern what is needed).

The Planning Board recommendations, read by the Clerk, were as follows:

March 11, 1982

To: Town Board From: Planning Board

Hoyt: The Hoyt application for an auction house was reviewed. The Board unanimously recommended approval of the application with parking area to accommodate 100 cars and proper sanitation facilities.

Town Councilman Nelson Cook, Chairman of the Committee covering Zoning, had advised that he would be late for the meeting and had requested the Clerk to read a list of questions he wished Mr. Hoyt to answer. They were as follows:

(1) Will on-site clean up take place? Mr. Hoyt: Yes
(2) Will the roof on building be repaired? Mr. Hoyt: Yes
(3) Will adequate sanitary facilities be provided? Mr. Hoyt: Yes
(4) Will graveled off-road parking be provided, accessible year round? Mr. Hoyt: Yes
(5) Will all material and goods to be auctioned be stored inside? Mr. Hoyt: Yes
(6) Will fences be installed to prevent the encroachment by customers upon neighboring land? The Board determined that this would not be required.
(7) Any signs will be subject to a decision of the Zoning Board of Appeals and this was agreeable to Mr. Hoyt.

Mr. Aplin informed those present that 's application for Special Authorization would be brought before the Board later in the evening under the proper Committee for discussion and possibly a decision.

HEARING CLOSED

The hearing was closed at 8:05 P.M..

BIDS FOR INSURANCE OPENED

The bids for Insurance scheduled to be opened at 7:45 P.M. on Thursday, March 25, 1982 in the Town Office, 201 East Main Street, Palmyra, New York were opened at 8:07 P.M. and the Proof of Publication was read by the Clerk. The following bids were received, publicly opened and read:

(1) J.D. Chapman Agency Inc.

Fleet Total	$4,381.00
Umbrella $2,000,000	$1,600.00
Contractor's Equipment & Voting Machines	$1,265.00
Overwidth Vehicles	100.00
Public Officials' Liability $1,000,000	$1,468.00

(2) Van Parys Associates

Special Multi Peril Package Property & Liability	$3221.00
Automobile Liability & Physical Damage	$6531.00
NYS Protective Liability	50.00
Equipment Floater	$1750.00
Excess Liability $1,000,000 Umbrella	$1250.00

BIDS CLOSED

The Bids were declared closed by Supervisor Aplin.

REG. MTG. OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled for Thursday, March 25, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order at 8:15 P.M. by Supervisor Aplin.

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

ROLL CALL

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

Others attending the meeting were: James Hoyt, Stephen Hays, C. Lyons, R. Watson, Peter Buck and C. Richardson of the PEDC.

APPR. OF MIN. 2/25/82

Following a review of minutes submitted for approval, a motion was made by Edwin Wheeler, seconded by David Lyon to dispense with the reading of and approve as submitted the minutes of February 25, 1982. Motion was passed with 4 ayes.

COMMUNICATIONS

Communications:

1. Letter re: Plowing on Bonnie Lane - Copies to be sent to Jim DeBrine and Gene Woodard

2. Letter from the Department of Transportation re: Lower Speed Limit on Prt Gibson - East Palmyra Road. Copy to be sent to Jim DeBrine

3. Letter from the Village re: Use of Voting Machines

4. Letter from Wayne County Planning Board re: Procedures for required 8 year review of the Marion-Palmyra Ag District - Refer to the Planning Board for review.

The motion to approve Vouchers submitted for payment was deferred to later in the meeting.

REPORTS OF STANDING COMM.

Reports of Standing Committees -

HIGHWAY

Highway Committee - Edwin Wheeler, Chairman

(1) Acquisition of Railroad Property - Quaker Road

Mr. Wheeler read a letter sent to the Supervisor from the Penn Central Corporation concerning the Town's preferential rights for the acquisition of abandoned Railroad property on Quaker Road. This letter was referred to the Town Attorney.

(2) Memo from Town Highway Superintendent DeBrine -

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 ... aid newspaper, was regularly ... d in said Courier-Journal on the ... g dates:

... h 17, 1982

[illegible]

NOTICE TO [illegible]

PLEASE TAKE NOTICE that the Town of Palmyra will take bids for a portion of its insurance coverage which expires April 6, 1982, and for the acquisition of a new policy to protect its employees. The bids must be submitted in writing to the Town Clerk of the Town of Palmyra at 201 East Main Street, Palmyra, New York, before 5:00 p.m. on March 25, 1982, in sealed envelopes. The bids will be opened at 7:45 p.m. on March 25, 1982.

Bids shall provide coverage equivalent to that now held plus such additional coverage as shall be specified in the alternatives below. Current Policies and information are available for inspection at the office of the Town Clerk.

COVERAGE	LIMITS	TERM
Fleet Policy	500,000 CSL ADU Comprehensive	1 year

Options: a) with 100 deductible collision on certain small vehicles not exceeding 3/4 ton and all vehicles not over 5 years of age.
b) with 5,000 deductible collision for all vehicles except 3/4 ton or less not over 5 years of age.
c) with 10,000 deductible collision for all vehicles except 3/4 ton or less not over 5 years of age.
On 3/4 ton or less 100 deductible for all options.

Umbrella Policy	2,000,000	1 year
Contractors Equipment floater (including voting machines) All risk coverage $250 deductible	250,000	1 year
Overwidth Vehicles	500,000 BI 100,000 property D	1 year
*Public Official Liability Insurance Personal liability coverage and indemnity insurance for Town officers, officials, and employees	500,000 if under umbrella, if not 1,000,000 coverage	1 year

*This coverage is new.

All Bidders must be prepared to furnish coverage on or before April 6, 1982.

By Order of the Town Board
Betty B. Stubbings,
Town Clerk
(967) (M17)

Rosalie J. Mouton
Foreman of the Publisher

... bed and sworn to before me
18th day of March 19 82
Judith A. MacDuff
Notary Public

Fee: $ 40.43

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736125
Expiration Date March 30, 1983

AFFIDAVIT OF PUBLICATION

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

PLEASE TAKE NOTICE [illegible]
coverage which expires April 6, 1982, and [illegible]
employees. The bids must be submitted in writing [illegible]
201 East Main Street, Palmyra, New [illegible]
velope. The bids will be opened at 7:[illegible]
Bids shall provide coverage equivalent [illegible]
shall be specified in the alternatives below [illegible]
inspection at the office of the Town Clerk [illegible]

COVERAGE:
Fleet Policy

Options: a) with 100 deductible collision [illegible]
all vehicles not over 5 years of age
b) with 5,000 deductible collision [illegible]
years of age
c) with 10,000 deductible collision for [illegible]
years of age
On 3/4 ton or less 100 deductible for all options [illegible]
Umbrella Policy
Contractors Equipment floater
(including voting machines)
All risk coverage $250 deductible
Overwidth Vehicles

*Public Official Liability Insurance
Personal liability coverage and
indemnity insurance for Town
officers, officials and employees
*This coverage is new
All Bidders must be prepared to furnish coverage [illegible]
By Order of the Town Board
Betty B. Stubbings
Town Clerk
(967)

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 17, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me
this 18th day of March 1982

Judith A. MacDuff
Notary Public

Fee: $ 40.43

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1983

Mr. Wheeler reviewed this memo which was a report to the Highway Committee on various items involving the Highway Department. MEMO RE: HWY. DEPT.

(3) Lighting Contract - LGT. CONTR.

Nothing to report at this time. Mr. Wheeler has had no report from the Town Attorney on this matter.

Water Committee - David Lyon, Chairman WATER COMM.

(1) Transfer of Funds

Motion number: 1982 - 0023 Date: March 25, 1982 MOTION NO. 1982-0023

Motion by: David Lyon, seconded by Nelson Cook

Title: Transfer of Funds - Engineering Fees for Water Study TRANS. OF FUNDS

WHEREAS, there were no monies provided in the 1982 Budget for the Engineer - Contractual Expenses Account # A1440.4 and

WHEREAS, there is a charge against this account from Hershey Malone & Associates for a Water Study in the amount of $500.00, WATER STUDY

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds from the Contingent Account A1990.4 in the amount of $500 to the Engineer-Contractual Expense Account A1440.4

Motion passed with 4 ayes.

(2) Citizens Committee on Water Study - CIT. COMM. ON WATER STUDY

Mr. Lyon advised the Board that the Citizens Committee is preparing their report and he expected to have their report by the next meeting.

(3) Contract with the Village of Palmyra CONTR. W/ VILLAGE

Mr. Lyon informed the Board that he expects the Contract will be forthcoming soon - the Village Attorney is on vacation at the present time. He also expects the new Contract will be a one year extension of the present contract.

Landfill Committee - Donald Sinclair, Chairman LANDFILL COMM.

Mr. Sinclair was absent but had indicated there was nothing to report at this meeting.

Supervisor Aplin read some communications concerning the Landfill situation - a letter he had sent to Assemblyman Talomie with a copy to Senator Paul Kehoe and the reply from Assemblyman Talomie. General discussion followed.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman ASSESS., PL. & ZON. COMM.

(1) Application of James Hoyt for Special Authorization -

After a brief discussion, it was decided to defer any decision on this request until later when the Town Attorney would be present.

(2) Waste Disposal Permits WASTE DISP. PERMITS G.& D. EAST

Mr. Cook reported that Donald East and Gerald East have both complied with the Board's request concerning their New York State Permits, copies of which are on file with their Town Permits. Mr. Roney commented that Donald East expects to go out of business when his current State Permit expires because the State's regulations have become too stringent.

(3) Appointment of Secretary/Clerk for the Assessor's Office APPT. OF SEC./CLK

Mr. Cook presented the following report at this time:

" The Town received 33 applications for the job opening, 22 of which were interviewed from the Town of Palmyra.

After more than 22 hours of interviewing and testing of the applicants by our Assessor, He and I met and evaluated the results which we narrowed to the top four persons. Of these four outstanding individuals, we selected an applicant whose family goes back many years in our community.

I, therefore, place the name of Mrs. Nancy (Hackett) Cushman of 346 E. Foster Street, Palmyra, New York before the Town Board of Palmyra for their approval to fill the position as Secretary/Clerk to the Assessor's Office, effective March 29, 1982 at the rate of $3.50 per hour for a trial period of 6 months at which time her appointment be made permanent and the rate of pay be increased to $3.75 per hour.

I also would like to recognize Jud Roney for his outstanding and high caliber job of interviewing and testing of the applicants".

MOTION NO. 1982-0024

APPT. OF SEC./CLK.

Motion number: 1982 - 0024 Date: March 25, 1982
Motion by: Nelson Cook, seconded by Edwin Wheeler
Title: Appointment of Secretary/Clerk for Assessor's Office

Resolved, that the Town Board of the Town of Palmyra approve the appointment of Nancy H. Cushman as Secretary/Clerk in the Assessor's Office, effective March 29, 1982 at a salary of $3.50 per hour during a trial period of six months and at the end of the trial period, the appointment will be made permanent with the rate of pay at $3.75 per hour.
Motion passed with 4 ayes.

APPLIC. FOR RENEWAL OF JUNKYARD LICENSE (HOOD)

(4) Application for Renewal of Auto Junkyard License - Wm. Hood

Mr. Cook reported that after reviewing this application with the Zoning Enforcement Officer, he felt some items should be considered by the Board - (1) Mr. Hood advertises that he is a Licensed New York State Auto Repair Shop but there has never been a Variance granted for anything other than a Junkyard and supplier of used parts and (2) The screening requested by the Board has never been completed. Discussion followed with comments by Mr. Aplin concerning problems in the past with Mr. Hood. Mr. Cook asked that this application be tabled until Mr. Hood can be contacted in regard to the items discussed at this meeting.

Town Attorney Paul Rubery joined the meeting at 8:50 P.M..

PEDC DISCUSSION

(5) Palmyra Economic Development Corporation

Charles Richardson, President and Richard Watson, a Director of the PEDC, were present to discuss the concerns of the Board in regard to the Financial Statements and Audit reports of the PEDC. A lengthy discussion followed which included communications from the PEDC, Financial Statements, Audit reports, a report on the progress being made by this organization, an article concerning misuse of Government funding for Industrial Development read by Supervisor Aplin, the 1982 Budget for the PEDC, the Wayne Economic Development Corporation, questions and/or statements by Board members, as well as by Mr. Richardson and Mr. Watson.

MOTION TO PAY BILLS

At this time, the Board returned to the business of approving payment of bills. A motion was made by Edwin Wheeler, seconded by Nelson Cook to approve payment of the Vouchers as shown on Abstract # 3 A. Motion passed with 3 ayes and 1 no - Roy Aplin voting no because of an objection to Voucher # 4 - Federal Revenue Sharing Funds for the PEDC. The Vouchers were listed by Funds as follows: Abstract # 3 A

ABSTR.#3A

GENERAL FUND	Vouchers # 92 - 106	$ 2177.88
PART TOWN FUND	" # 20 - 23	2096.69
FEDERAL REVENUE SHARING	" # 4	750.00
HIGHWAY ITEM III	" # 67 - 71	773.56
HIGHWAY ITEM IV	" # 23 - 27	6736.88
EAST WATER DISTRICT	" # 10	22.05
TOTAL		$12557.06

APPLICATION OF J. HOYT FOR SPEC. AUTHORIZ.

The application of James Hoyt, subject of a Public Hearing earlier in the evening and deferred to a time when the Attorney was present, was now brought before the Board. Town Councilman Nelson Cook reviewed the conditions discussed during the hearing and Town Attorney Rubery suggested some additional conditions. Following some further discussion on this request for an Auction Barn, a Resolution was presented for the Board's consideration.

MOTION NO. 1982-0025

J.HOYT APPLIC.

Motion number: 1982 - 0025 Date: March 25, 1982
Motion by: Edwin Wheeler, seconded by David Lyon
Title: Approval of Application of James Hoyt for Special Authorization to Operate an Auction Barn at 3167 Cambier Road

Resolved, that the Town Board of the Town of Palmyra approves the Application of James Hoyt, 3167 Cambier Road for Special Authorization to operate an Auction Barn at 3167 Cambier Road with the following conditions: — MOTION NO. 1982-0025 J.HOYT APPLIC.

(1) There will be on site clean-up.
(2) The roof will be repaired.
(3) Adequate Sanitary facilities will be provided.
(4) A graveled parking area will be provided on the owner's property sufficient so there is no parking on the road.
(5) There will be no parking permitted on the Highway.
(6) All materials and goods to be auctioned will be stored inside.
(7) Any signs to be erected will be subject to a decision of the Zoning Board of Appeals.
(8) No alcoholic beverages will be served.
(9) The New York State Building & Fire Prevention Codes will be complied with.
(10) No auctions are to occur until the Zoning Enforcement Officer approves the complicance with the abake stipulations.

Motion passed with 4 ayes.

Insurance - INSURANCE

The Board returned to the business of the Insurance Bids, also deferred until the Town Attorney was present. The Bids received were quickly reviewed and following some discussion, Supervisor Aplin appointed Town Councilman Edwin Wheeler as a temporary Committee to work with the Town Attorney and make recommendations to the Board. David Lyon offered the suggestion that this Board meeting be adjourned to April 1st so the Board could make a decision concerning the Insurance prior to April 6, 1982, the expiration date on some of the Insurance.

Lighting Contract - LGT. CONTR.

Nothing to report at this time.

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

Mr. Lyon reported that he had just received a letter from Hershey Malone & Associates which he reviewed briefly. He suggested that the Town Building Committee could plan to have a meeting following the adjourned Town Board meeting on April 1st and requested the Clerk to provide copies of the letter to the Board members.

Other Business -

(1) Bingo - Application for Bingo License (Moose) — BINGO APPLICA. FOR LIC.

Motion number: 1982 - 0026 Date: March 25, 1982

Motion by: David Lyon, seconded by Nelson Cook — MOTION NO. 1982-0026

Title: Approval of Application for Bingo License (Moose)

Resolved, that the Town Board of the Town of Palmyra approve the Application for a Bingo License as submitted by the Loyal Order of Moose, Palmyra Lodge # 1420 for the period from April 12, 1982 - October 18, 1982. — APPR. OF APPLICA. (MOOSE)

Motion passed with 4 ayes.

Supervisor Aplin brought a request to the Board from Town Justice Albert Hunt for the use of the portable recorder as he anticipates some up-coming trials and the cost for hiring a Court stenographer would be prohibitive. Town Attorney Rubery asked Supervisor Aplin about Funds from the County for the prosecution of DWI cases. Discussion followed. — REQUEST FOR RECORDER

Mr. Richardson of the PEDC made a request for the Board to consider the appointment of a liaison person, perhaps a Councilman, to work with the PEDC. — PEDC

Judson Roney, Assessor, spoke briefly with the Board concerning some Rental legislation and he advised the Board that he has written to Assemblyman Talomie and Senator Kehoe in regard to this matter. — ASSESSOR RENTAL LEG.

The motion to adjourn this meeting to Thursday, April 1, 1982 at 7:30 P.M. was made by David Lyon, seconded by Nelson Cook and passed with 4 ayes. — MOTION TO ADJ. TO 4/1

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

April 1, 1982

MEETING RE-OPENED

The adjourned meeting of the Town Board of the Town of Palmyra was re-opened at 7:30 P.M. by Supervisor Aplin. Those present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook, Town Attorney Paul Rubery and Assessor Judson Roney.

Insurance --

INSURANCE

Town Attorney Paul Rubery reviewed the Insurance Bids received at the Board meeting on March 25, 1982 and made his recommendations to the Board. The Board members discussed the Bids and the following Resolution was offered for the Board's consideration:

MOTION NO. 1982-0027 AWARD OF BID FOR INSURANCE

Motion number: 1982 - 0027 Date: April 1, 1982
Motion by: Edwin Wheeler, seconded by David Lyon
Title: Award of Bid for Insurance
Resolved, that the Town Board of the Town of Palmyra award the Bid for Insurance for the Town of Palmyra to J.D. Chapman Agency, Inc., Macedon, N.Y.. Motion passed with 4 ayes.

MOTION TO ADJOURN

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

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

April 8, 1982

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, April 8, 1982 at 7:30 P.M. in the East Palmyra Fire Hall, East Palmyra, New York was opened by Supervisor Aplin. MEETING OPENED

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

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

Others attending this meeting were: Al Cator, Chuck Lyons, Bill Guest, Bob Reiss, Charlene Lyon, Peter Buck, Frank Corall, Peter and Rita Burm, John Rush, Judson Roney, Beth Hoad, Sue Hartman, Harry Wilkins, Paul Rubery, David Matthews, and Lyman Kaller.

Following a review of the minutes submitted for approval, a motion was made by Nelson Cook, seconded by David Lyon to dispense with the reading of and approve as submitted the minutes of March 11, 1982. Motion passed with 3 ayes. APPR. OF MIN. 3/11/82

Communications -

1. Letter from Foley & Foley re: violation by Campbell & Hubright COMMUNICATIONS
2. Letter from PEDC re: Mr. Aplin's letter of March 29, 1982
3. Notice from Town of Marion re: Proposed Amendments to Zoning Ordinance

Following a review of the Vouchers submitted for payment, a motion to approve payment of the Vouchers as shown on Abstract # 3B and # 4 was made by David Lyon, seconded by Nelson Cook and passed with 3 ayes. The Vouchers were listed by Funds as follows: MOTION TO PAY BILLS

ABSTR. 3B

Abstract # 3 B -

GENERAL FUND	Vouchers	# 107 - 109	$7789.57
PART TOWN FUND	"	# 24 - 25	129.64
HIGHWAY ITEM IV	"	# 28 - 29	564.63
NORTH WATER DISTRICT	"	# 13A- 14	62.84
SOUTH WATER DISTRICT	"	# 11 - 13	42.07
EAST WATER DISTRICT	"	# 11 - 12	8.11
TOTAL			$8596.86

ABSTR. 4

Abstract # 4 -

GENERAL FUND	Vouchers	# 110 - 125	$ 6316.97
PART TOWN FUND	"	# 26	258.21
HIGHWAY ITEM III	"	# 72 - 79	1760.07
HIGHWAY ITEM IV	"	# 30 - 32	5603.40
NORTH WATER DISTRICT	"	# 15	3292.81
SOUTH WATER DISTRICT	"	# 14	1984.32
EAST WATER DISTRICT	"	# 13 - 14	773.48
TOTAL			$19989.26

Prior to the next item of business as shown on the agenda - Reports of Standing Committees, Supervisor Aplin stated that he was making some changes in the Committee appointments. He withdrew as Chairman of the Cemeteries Committee and assigned Town Councilman Donald Sinclair to that position, and advised that he was also forming a new Committee - Economic Development Committee. He indicated he may appoint someone as Chairman or may decide to serve as Chairman himself. CHANGE IN COMMITTEES NEW COMM.- ECONOM. DEV.

Reports of Standing Committees - REPORTS OF COMMITTEES

Highway Committee - Edwin Wheeler, Chairman HIGHWAY COMM.

1. Acquisition of R.R. Property - Quaker Road

This matter was reported as still un negotiation and it was deferred to the next meeting.

Water Committee - David Lyon, Chairman WATER COMM

1. Mr. Lyon stated that he had nothing further to report at this time on the Contract with the Village of Palmyra. CONTR. W/ VILLAGE

REPORT FROM CIT. ADV. COMM.

2. Mr. Lyon indicated that just this evening he had received the report from the Citizens Advisory Committee on Water for the Town of Palmyra and he will review that report with the Water Committee and Highway Committee.

Landfill Committee - Donald Sinclair, Chairman

LANDFILL COMM.

Nothing to report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSESS., PL., & ZON. COMM.

1. Wm. Hood's Application for Renewal of Auto Junkyard License

W. HOOD'S APPLIC.

Mr. Cook reported that he has one other item to check out with Mr. Hood and Judson Roney and asked that this matter be tabled to the next meeting.

2. Appointments to Planning Board and Assessment Review Board

APPTS. TO PL. & ASSES. REV. BDS.

Mr. Cook stated this was on the agenda as a reminder that appoinments to a five year term for each of these Boards will be made at the next meeting. He asked that anyone who might be interested, contact him prior to the April 22nd meeting.

3. Review of Zoning Ordinance Map

REV. OF ZON. ORD. MAP

Mr. Cook asked that this item of business be tabled to the next meeting or to a time when the full Board is present in order to set a date to review the Proposed Zoning Map. Mr. Cook also referred to a tentative time-table for the new Zoning Ordinance.

4. PEDC - Appointment of Liaison from Town Board

PEDC APPT. OF LIAISON

Councilman Cook indicated that he would like to table this matter until the next meeting. Mr. Aplin reminded Mr. Cook that the appointment of a liaison person would come under the newly formed Committee - Economic Development, and that he, as Supervisor, would make that appointment. Brief discussion followed.

5. Brion Havert - Canandaigua Road Repair Shop

B. HAVERT REPAIRS ON MOBILE HOME

Mr. Cook reported that a Mobile Home has been moved in on the lot next to the Shop and Mr. Havert has indicated that he has some repairs to do which may take 4 to 5 weeks. This situation will be watched in the next few weeks.

MOTION TO ADD ITEM TO AGENDA

6. A motion was made by Nelson Cook, seconded by David Lyon to add to the agenda the subject of negotiations with the Town of Ontario for the extraction of gravel from the Breemes Property on Route 21 in the Town of Palmyra. Motion passed with 3 ayes.

TN. OF ONTARIO -EXTRACTION OF GRAVEL - BREEMES PROP.

Councilman Cook stated that he wanted this on the agenda in order to inform the Board that, although the Town of Ontario has extracted gravel from the Breemes Property on Route 21 in the past, a request is being made for the Town of Palmyra to approve a new section. Mr. Roney has met with the property owners as well as representatives from the Town of Ontario and the New York State Department of Environmental Conservation. The existing site should be "reclaimed" - (Grading, filling holes, seeding). Mr. Cook indicated that he expects to have more information for the next meeting.

Town Building Committee - David Lyon, Chairman

TN. BLDG. COMMITTEE

REPORT ON COMM. MTG.

Mr. Lyon reported that, at the Building Committee meeting, held on April 1st, the Committee basically agreed on the immediate work to be done - Roof repair & Insulation, Heating and Cooling systems for the second floor, removal of a partition to make a conference room and purchase of Window Air Conditioners for the second floor. Following the Committee meeting, Mr. Lyon met with David Matthews of Hershey,Malone Associates to discuss plans, specs and bids. The Roof repair will [illegible] be bid out but the Committee hopes to use local Contractors for the remainder of the work. Under discussion, Peter Buck inquired about storm windows and Councilman Lyon responded that they are on the list of things to be done. Supervisor Aplin asked if the Committee expects to stay within the cost range and Mr. Lyon replied that he thought they would be able to.

Following discussion, a Resolution was offered for the Board's consideration.

MOTION NO. 1982-0028

Motion number: 1982 - 0028 Date: April 8, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Authorization for Hershey Malone Associates to draw up Plans and Specs

AUTHOR. FOR PLANS & SPECS

Resolved, that the Town Board of the Town of Palmyra authorize Hershey Malone Associates to draw up Plans and Specifications for the Roof system, Heating and Cooling system for the second floor and removal of Partition to create a Conference Room - Plans and Specs to be ready for the April 22nd meeting.

Motion passed with 3 ayes.

Other Business -

OTHER BUSINESS

NEIGHBORHOOD WATCH PROG.

At this time, Supervisor Aplin informed those present that the Neighborhood Watch Program, started last year, has not been forgotten and an informational meeting will be held when the weather improves.

REQUEST FOR SPEED LIMIT

Mr. Aplin also reported that procedures are being followed concerning the Petition for a Speed Limit on East Palmyra-Port Gibson Road. The petition has been presented to the Wayne County Highway Department and will go to the New York State Department of Transportation for investigation and recommendations.

REQUEST FOR USE OF ROLLER

Peter Burm, a member of the East Palmyra Fire Department, expressed a need for the use of the Town roller for the ball diamond owned and used by the East Palmyra Fire Department, also used by the Army Reserves and the young people in the area. Mr. Burm is to contact Lyman Kaller of the Town Highway Department and Councilman Lyon will contact Town Highway Superintendent DeBrine to work out a solution to this request.

OPEN DISC.

Under open discussion, several subjects were brought before the Board for their information and possible solution.

GRAVEL TRUCKS

Frank Gorall expressed a concern about trucks hauling gravel thru East Palmyra.

ASSESSMENT

Frank Gorall and Harry Wilkins sought some information in regard to assessment of property.

EQUAL. RATE

Assessor Judson Roney was asked to give an explanation of the Equalization Rate and how it is used.

REPAIRS OF HOGBACK HILL BRIDGE

John Rush asked the status of the repairs on the Hogback Hill Road Bridge. Supervisor Aplin responded by stating that he has been trying to get some information and people of the area may have to get a petition circulated requesting the opening of the Bridge.

NOISE FROM PARK

Sue Hartman spoke to the Board concerning the bridge and the fact that one cannot even walk across it. She also expressed a concern about the amount of noise which comes from Swift's Landing Park. Again, the suggestion was made that a petition should be presented to the Town Board, then the Board could send it on to the County.

GALLOWAY BRIDGE

John Rush brought before the Board the subject of Galloway Bridge and the possibility of that bridge also being closed. He stated that would really isolate people in that area. However, Councilman Lyon assured him that both bridges would not be closed.

DEBRIS FROM PLOWING

Beth Hoad, Caretaker for the East Palmyra Cemetery, brought to the Board's attention the problem of the debris left from plowing. Following some discussion, Mr. Lyon stated that he would talk with the Town Highway Superintendent and would put the problem under advisement . Committee.

Supervisor Aplin expressed the thanks of the Town Board to the East Palmyra Fire Department for hosting the meeting.

MOTION TO ADJOURN

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

Respectfully submitted, Betty B. Stubbings

April 22,1982

MEETING OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, April 22, 1982 at 7:30 P.M. in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin with a moment of silent prayer. Supervisor Aplin then led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Roll Call was taken indicating the following Board members present: Supervisor Roy Aplin, Town Councilmen Nelson Cook, David Lyon, Donald Sinclair and Edwin Wheeler.

Others attending the meeting were: Town Attorney Paul Rubery, Assessor Judson Roney, Chuck Lyons of the Courier Journal, and Stephen Hays.

APPR. OF MINS. 3/25, 4/1, 4/8

The motion was made by Nelson Cook to dispense with the reading of and approve as submitted the minutes of March 25,1982, April 1, 1982, April 8, 1982. The motion was seconded by Ed Wheeler and passed with a vote of 5 ayes.

COMMUNI-CATIONS

Communications -

1. Thank you note from the family of Grace DeBrine
2. Letter from Dept. of State - Fire Safety Standards for areas of Public assembly
3. Letter from PEDC
4. Letter from Planning Board - Agricultural District #3
5. Letter from John Riley - burned cottage (West Port Bibson)

Items 4 & 5 were referred to Assessment, Planning & Zoning Committee.

MOTION TO PAY BILLS

ABSTRACT 4A

Following a review of the Claims/Vouchers submitted for payment (Abstract #4A) a motion was made by Nelson Cook, seconded by Donald Sinclair, to approve the payment of the vouchers. Motion was passed with 5 ayes. The Vouchers were listed by Funds as follows:

GENERAL FUND	Vouchers	#126-137	$	3,252.47
HIGHWAY I	"	" 5		590.46
HIGHWAY III	"	" 80-83		510.21
HIGHWAY IV	"	" 33		3,625.08
			$	7,978.22

REPORTS OF COMMITTEES

Reports of Standing Committees -

HIGHWAY COMM.

Highway Committee - Edwin Wheeler, Chairman

1. Lighting Contract

LIGHT CONTRACT

The proposed Lighting Contract has been reviewed by Paul Rubery and Ed Wheeler but are waiting a response from the insurance company. The possibility of forming lighting districts was discussed. Each district to pay their own lighting costs. This matter was deferred to the next meeting.

GALLOWAY BRIDGE

2. Acquisition of R.R. property-Galloway Bridge

Paul Rubery advised they are waiting for approval of Directors of Conrail and a survey. Nelson Cook, Ed Wheeler, Paul Rubery and Jim DeBrine to discuss this matter further at a meeting possibly set for Sat., April 24th.

QUAKER RD ACQUI.

3. Acquisition of R.R. property - Quaker Road

This matter to be further discussed as Item 2 within the committee.

WATER COMM.

Water Committee - David Lyon, Chairman

1. Report from Citizens Committee for Water Study -Town of Palmyra

The Committee met with the Town Engineer on this matter but there are several questions to resolve. David Lyon proposed an informal workshop to review the questions with the Citizens Committee. It was agreed that David Lyon schedule said workshop meeting and advise the Board members of same.

WATER CONTRACT

2. Water Contract

The Water Contract from the Village has been reviewed by David Lyon and attorney Paul Rubery. Since there are a few items to be clarified in the contract, this matter was tabled until the next meeting.

LANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman

Councilman Sinclair advised there was nothing to report - everything under control.

CEMETERIES COMM.

Cemeteries Committee - Donald Sincliar, Chairman

Councilman Sinclair advised there was nothing to report - everything under control. Supervisor Aplin suggested the local rural cemeteries be cleaned up, mainly Swifts Cemetery. Also the East Palmyra Cemetery was discussed in regard to maintenance plans for the season. Supervisor Aplin suggested some priorities be given to maintenance and care of these cemeteries.

ASSES., PL. & ZON. COMM.

Assessment, Planning & Zoning - Nelson Cook, Chairman

1. Wm. Hood's Application for Renewal of Junkyard License

WM. HOOD APPLIC.

Nelson Cook made the motion for the Board to approve the application of William Hood to renew his license for 1 year with the following stipulation: a) Mr. Hood would erect 100' of fencing on his West property line, b) Mr. Hood would plant 250' of shrubs or trees (or other screening) on his East property line. Items a & b to be completed within 1 year, otherwise there would be NO renewal of said license in April 1983. The motion was seconded by David Lyon. Ed Wheeler felt that 1 year was too long and the stipulations a & b should be completed by August 1, 1982. Nelson felt that Mr. Hood has complied with all requests intthe past and that Mr. Hood is in agreement with our proposed stipulations. Jud Roney advised there had been complaints in the past about Hood's operation, but none recently. Supervisor Aplin expressed concern about Hood engaging in some auto repair work but Nelson Cook felt this type of work was not taking place. Town Attorney Paul Rubery suggested the stipulations a & b should be clarified as to the beginning point and ending point on the property lines where the fencing, etc., is to be installed or erected. A map was suggested to detail the proposed stipulations. Ed Wheeler made the motion to table this matter until further documentation and details could be provided. The motion was seconded by David Lyon and passed with 5 ayes. Paul Rubery also stated that NYS law requires all junkyards to be completely enclosed but it would be up to Town Boards to enforce such a law.

GRAVEL PERMIT

2. Extraction of Gravel -Breemes Property/Town of Ontario

It was agreed that application to the State for a permit to open a new section on the Breemes now Faas property should be granted since the used section has been reclaimed as stipulated. Supervisor Aplin advised the necessary steps should be taken to acquire permit.

3. Appointment to Planning Board (replacement of A. Bebb)

APPT. OF L. KALLER MOTION NO. 0029

Art Bebb has indicated he does not wish to be re-appointed to the Planning Board. Nelson Cook made the motion to approve the name of Lyman Kaller to serve on the Planning Board for a term of 5 years. The motion was seconded by Don Sinclair. Supervisor Aplin suggested the name of Peter Buck but received no support. David Lyon felt it was important to keep the Planning Board well balanced, replacing Art Bebb with another East Palmyra resident such as Lyman Kaller. The appointment of Kaller was passed with 4 ayes. Aplin voted no.

RE-APPT. G. YOUNG

4. Re-appointment of Glenn Young to Board of Assessment Review

MOTION NO. 0030

Motion was made by Nelson Cook to approve the re-appointment of Glenn Young to the Board of Assessment Review for a 5 year term. David Lyon felt it is important to have representation from different areas with knowledge of land, buildings etc. The motion was seconded by Donald Sinclair and passed with 5 ayes.

REV. OF ZONING MAP

5. Review of Zoning Map - Set Meeting

The Planning Board has made some zoning changes on the map. Jud Roney explained briefly where the changes had taken place. Don Sinclair asked if those property owners involved would be aware of the planned changes. Jud Roney advised a tenative hearing is scheduled for November, 1982 which will give the people the opportunity to voice their opinions. After this discussion, it was felt no special meeting was required at this time.

TOWN BLDG. COMM.

Town Building Committee - David Lyon, Chairman

MOTION TO ADV. BIDS NO.0031

1. Motion to advertise for Bids for Roof Repair

David Lyon made the motion to advertise for bids for Contract #1,2,&3 It was decided to have 3 separate contracts rather than 1 to allow more opportunity for contractors to bid on the work. The contract was broken down as follows: Contract #1 - Heating & Air Conditioning
Contract #2 - Installation of Attic Insulation
Contract #3 - Replacement of Roof System

Contract # 3 is to be a formal (sealed bid) contract and advertised by Legal Notice. Contract #1 &2 will be advertised in the local paper. The motion was seconded by Ed Wheeler and passed with 5 ayes. The bids are to be opened on May 11, 1982 from 10:00 AM - 11:00 AM. It was agreed the Specs for contract #3 would be acquired directly from Hershey Malone if any contractor wanted same. One copy of the Specs to be available for review at the Town Office. It was agreed that Specs for contract #1 & 2 would be available to contractors for a fee of $5.00. Copies of these Specs to be available for review at the Town Office.

EDC.

Economic Development Committee -

Supervisor Aplin advised he had nothing to report but asked Nelson Cook for his suggestion of a representative to act as liaison between the FEDC and EDC. Cook suggested the name of Donald Sinclair.

OTHER BUSINESS

Other Business -

Supervisor Aplin discussed briefly communications #4 & 5.

MOTION TO ADJOURN

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

Respectfully submitted,
Leona M. Busch
Leona M. Busch, Deputy Town Clerk

May 13, 1982

MEETING OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, May 13,1982 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin with a moment of silent prayer, followed by the Pledge of Allegiance to the Flag.

ROLL CALL

Roll Call was taken and the following Board members were present: Supv. Roy Aplin, Nelson Cook, David Lyon, Donald Sinclair, & Edwin Wheeler. Others attending the meeting were: Assessor Judson Roney, Chuck Lyons of the Courier Journal, Peter Buck, Deputy Supervisor; and Kathy Fox.

APPR. OF MINS. 4/22

The motion was made by Ed Wheeler to dispense with the reading of and approve as submitted the Minutes of April 22,1982. The motion was seconded by Don Sinclair. Supervisor Aplin brought to the attention of the Board that he questioned the wording in the minutes regarding the discussion of Peter Buck and the appointment of the replacement of a member to the Planning Board. Don Sinclair made a request to listen to the tapes from the previous meeting, but the exact location of the conversation in question could not be readily found. It was then agreed to have the tape available at the next meeting. Ed Wheeler made the motion to table the approval of the minutes until the next Board meeting, seconded by David Lyon. Motion passed with 5 ayes.

COMMUNICATIONS

Communications -

1. Letter from Cablevision, Industries, Inc.
2. Affidavit from Alfred C. Campbell
3. Letter from Kathy Fox - Palmyra Playground
4. Letter from Palmyra Memorial VFW

Item 1 was discussed briefly and Supv. Aplin will check with Attorney Rubery regarding the legal procedure necessary for rate increases by Cablevision Industries. Supv. Aplin referred Item 3 to the Highway Committee to make their recommendation at the next meeting. Concerning Item 4, it was felt one automobile would be sufficient for those members wishing to participate in the Memorial Day Parade. Don Sinclair to advise if he will be available to participate.

MOTION TO PAY BILLS

Following a review of the Claims/Vouchers submitted for payment (Abstract #4B & 5), a motion was made by Nelson Cook, seconded by Ed Wheeler to approve the payment of the bills. Motion was passed with 5 ayes.

The vouchers were listed by Funds as follows:

			ABSTRACT 4B
GENERAL FUND	Vouchers	#138-139	$ 8,038.15
PART TOWN FUND	"	27-28	145.91
HIGHWAY IV	"	34	541.92
NORTH WATER DIST.	"	16-17	57.89
SOUTH WATER DIST.	"	15-17	40.17
EAST WATER DIST.	"	15-16	7.46
			$ 8,831.50

ABSTRACT 5

ABSTRACT 5	GENERAL FUND	Voucher #140-164	$	11,821.20
	PART TOWN FUND	" 29-31		639.56
	HIGHWAY I	" 6-9		5,466.97
	HIGHWAY III	" 84-89AB		725.02
	HIGHWAY IV	" 35		162.83
	NORTH WATER DIST.	" 18-19		50.25
	SOUTH WATER DIST.	" 18		5.83
	EAST WATER DIST.	" 17-19		267.68
	FEDERAL REVENUE SHARING	" 5		1,474.50
			$	20,613.84

REPORTS OF COMMITTEES

Reports of Standing Committees:

Highway Committee - Edwin Wheeler, Chairman

HIGHWAY COM. Councilman Wheeler made the motion to add to the agenda:

MOTION 0032

Motion Number: 1982-0032 Date: May 13, 1982

Motion By: Ed Wheeler, seconded by Nelson Cook

Title: Traffic Control at Intersection of S. Creek Road & Vault Road and Recommendations from Wayne County Highway Dept.

The motion to add to the agenda was passed with 5 ayes.

Jim DeBrine, Highway Supervisor requested the Committee and Board to act on a decision to approve the recommendations of the County Highway Department for Traffic Control; specifically a stop sign to be erected at the south end of the South Creek Road bridge. Nelson Cook was concerned about this creating a backup problem to the R.R. but Jim felt this would not be the case. David Lyon suggested a notice appear in the Timesaver or local paper to make people aware of this new proposed sign. Jim DeBrine felt the Sheriff's Dept. would be notified of the change in road traffic control. Don Sinclair felt we should accept the recommendations of the Wayne County Highway Department and approve the installation of a stop sign. Roy Aplin questioned whether another sign should warn traffic of up-coming stop sign, but Jim DeBrine thought too many signs would be confusing as there is already a R.R. crossing sign at the site.

Following discussion, the following Resolution was offered:

MOTION 0033

Motion Number: 1982-0033 Date: May 13, 1982

Motion by: Ed Wheeler, seconded by Nelson Cook

Title: Recommendation Based on a letter dated April 28,1982 from the Wayne County Highway Supt. that a stop sign be installed at the intersection of Vault Road and South Creek Rd., at our earliest possible convenience.

The motion was passed with 5 ayes.

MOTION 0034

Ed Wheeler then made a motion to add to the agenda as follows:

Motion Number: 1982-0034 Date: May 13, 1982

Motion by: Ed Wheeler, seconded by Don Sinclair

Title: Proposal to the Town Board to have the WCHD conduct a survey (onsite study) of the various Town intersections controlled by Yield signs.

The motion was passed with 5 ayes.

MOTION 0035

A Resolution was then offered for the Board's consideration.

Motion Number: 1982-0035 Date: May 13, 1982

Motion by: Ed Wheeler, seconded by Don Sinclair

Title: For him (Jim DeBrine) to solicit the Wayne County Highway Supt. to request their Engineering Dept. to do an onsite study of several Town Highways.

A motion was made to obtain a survey from the WCHD to see if Traffic Control at several intersections was acceptable with the present standards as setforth in the Manual for Uniform Traffic Control Devices. When asked how soon this survey could be done, Jim DeBrine responded that he felt it would be done in a reasonable time schedule, probably when the WCHD was in the area. The motion was passed with 5 ayes.

LIGHTING CONTRACT

Lighting Contract -

Chairman Wheeler reported that no agreement had been reached on the Lighting Contract and the Town attorney was not present to comment further on the matter.

There was some general discussion pertaining to Galloway Bridge, but Councilman Wheeler had nothing definite to report.

WATER COMM.

Water Committee - David Lyon, Chairman

1. Water Contract - Village

WATER CONTRACT

Councilman Lyon made the motion to approve the Water Contract and reported the contract basically was an extension of 1 year of the present contract (rates remain the same). It was decided to go with a 1-year extension because the Village is currently doing a water study also and revisions may be required at a later date. Therefore, it was felt a 1-year extension was best at this time.

MOTION 0036

Motion Number: 1982-0036 Date: May 13, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: To Approve the Water Contract/Village

The above motion was passed with 5 ayes.

LANDFILL COMM.

Landfill Committee - Donald Sinclair

The following Resolution was presented to the Board for consideration.

MOTION 0037

Motion Number: 1982-0037 Date: May 13,1982

Motion by: Donald Sinclair, seconded by Ed Wheeler

Title: Sanitary Landfill - Siegel Gilfus Agreement

SANITARY LANDFILL

WHEREAS, the Town of Palmyra has been informed it may have to terminate its sanitary landfill in less than six (6) months; and

WHEREAS, the Town Highway Department is currently operating with a reduced staff because of illness; and

WHEREAS, it is impractical to hire an additional person to assist with the operation of the sanitary landfill with the uncertain future; and

WHEREAS, it is impractical to bid the operation of the sanitary landfill because of the term that the landfill will be operated which is indefinite, and there is a need to solve the problem immediately;and

WHEREAS, the Town has received an offer from its former subcontractor Siegel Gilfus, to operate the landfill on a temporary basis, furnishing his own equipment and fuel at a rate of Fourteen Thousand Dollars ($14,000.00) per year payable in monthly increments of One Thousand, Six Hundred, Sixty Six Dollars ($1,666.00), which agreement would be terminable on thirty (30) days notice;

NOW, THEREFORE BE IT RESOLVED:
That the Town of Palmyra enter into a contract with Siegel Gilfus to operate the sanitary landfill for the Town of Palmyra, as an independent contractor, for a rate not to exceed a total of Fourteen Thousand Dollars ($14,000.00) annually with the contractor, Mr. Gilfus to furnish all the labor, his own machines and fuel, and contractor shall maintain the hours of operation that are published and comply with all rules and regulations governing the operation of said landfill. That said contract may be terminated on thirty (30) days notice in the event of the Environmental Conservation closing the landfill or if the contractor fails to perform pursuant to the terms and conditions of the agreement. The Town shall cause the cells to be dug by other independent contractors.

BE IT FURTHER RESOLVED:
That the Town Supervisor shall be authorized to execute an agreement with Siegel Gilfus incorporating the above terms and conditions and take such further actions as shall be necessary to implement the contract.

Donald Sinclair then moved to amend Motion #0037 (based on counsel) and to make the said motion retroactive to May 1, 1982. Nelson Cook seconded the amendment to the motion. Motion passed with 5 ayes.

Ed Wheeler questioned whether we had a permit at the present time to operate the landfill.

Councilman Sinclair stated that an extension of the permit was requested from the DEC, but no word had been received back as yet. David Lyon expressed concern about the 6 month limited time for operating the landfill. Don Sinclair felt it was important at this point in time to concentrate on getting the landfill functional, complying within the framework available at this time. Until a response is received from the DEC, no comment could be made regarding the long-term forcast. There was general discussion regarding the cell situation. Don Sinclair felt the cells would be in accordance with the specs supplied by the DEC and stipulated in their master plan.

The motion was passed with 5 ayes wherefore making the Sanitary Landfill - Siegel Gilfus Agreement retroactive to May 1, 1982.

CEMETERIES COMM.

Cemeteries Committee - Donald Sinclair, Chairman

Councilman Sinclair reported that everything was under control regarding local cemetery maintenance. That he had been working with Jim DeBrine to acquire some help to ready the cemeteries for the season. It was agreed that David Lyon would make contact with the Harding boy to maintain the East Palmyra Cemetery. Supv. Aplin asked whether anything had been done with a certain tree which was in need of trimming or removal. It was decided the tree was the responsibility of the County and they had been informed that work needed to be done regarding the hazards of said tree.

Attorney Paul Rubery joined the meeting at approximately 9:15 P.M.

ASSES.,PL. & ZON. COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Wm. Hood's Application for Renewal of Junkyard License-Resolution

WM. HOOD APPLIC.

Councilman Cook made the motion to bring the motion from the meeting of April 22,1982 to the table. Seconded by Ed Wheeler and passed with 5 ayes. Nelson Cook then withdrew the motion from the table and David Lyon withdrew his second.

The following Resolution was then presented to the Board for consideration.

Motion Number: 1982-0038 Date: May 13,1982

Motion by: Nelson Cook, seconded by Don Sinclair

Title: William Hood Junk Yard

MOTION 0038

WHEREAS, William Hood has applied for a license to operate his junk yard on Trolley Road; and
WHEREAS, an inspection has been made of the premises; and
WHEREAS, there is work to be done which would be desirable;

NOW, THEREFORE BE IT RESOLVED:

1. That the license of William Hood to operate a junk yard for one year be renewed from April 1,1982, until the last day of March,1983.
2. That the renewal shall be conditioned upon William Hood seeking and receiving a variance from the sign ordinance for the existing sign or complying with the sign ordinance within sixty (60) days.
3. That Mr. Hood removes a car that is placed upon a junk bus so that no vehicles are stacked so that their height exceeds the height of the fence on the premises.
4. That Mr. Hood be informed that no application for a license for operation of a junk yard will be accepted in 1983 unless:

   a) Fencing shall be completed at least six (6) feet high as on the west boundary line to a point 146 feet south of the centerline of an improved portion of Trolley Road to a four (4) inch tree, and that the fence shall be made tight so it appears to be and is one continuous fence.

   b) Fencing on the east side, either solid material or mature trees or vegetation at least six (6) feet in height be erected and or planted so that there is a solid barrier starting at the existing fence in the southeast corner of the property and northerly 225 feet to an angle in the east line of Hood.

5. That if an application is not accepted in 1983 and thereafter processed, Mr. Hood will be in violation of the law and that each week will be a separate violation.

That the completion of the above fencing will not automatically assure the granting of a license if he has not conformed to all the other rules and regulations governing the operation of a junk yard and zoning.

Don Sinclair asked if William Hood had seen the resolution and was informed he had. Judson Roney asked for clarification of the 60 day limit for Mr. Hood to receive a variance concerning the sign ordinance. Nelson Cook advised it would be 60 days from the date of the motion. Supv. Aplin felt that 3 months would be sufficient time for Mr. Hood to comply with our requests. Ed Wheeler felt that since only 10 months remained, the March date was acceptable.
Don Sinclair pointed out that other years no "specific" instructions had been set forth in a resoluti to Mr. Hood and he felt that now the Board had the specifics tied down, and therefore have more protection should the renewal need to be turned down in the future.

Ed Wheeler then moved the question, seconded by David Lyon. The motion was passed with 5 ayes. The resolution to approve the application for a junk yard license to William Hood was passed with 4 ayes. Supv. Aplin voted no.

FAIRLAWN COMPLAINT

Fairlawn Subdivision Complaint (Lot 49)

Nelson Cook advised there had been complaints of dumping on Lot 49 which is a vacant lot owned by Warren Daansen of New Hampshire. Since Mr. Daansen had made provisions to have the lot cleaned up in the past, he felt it unfair to expect him to clean up what others were dumping on his lot (letter of November 30,1981). Councilman Cook suggested perhaps a letter be sent to the neighbors advising them of the problems the debris is creating. Attorney Paul Rubery made it clear that in no way were we accusing any neighbor of the actual dumping. Also that the owner (Daansen) should accept some responsibility as the owner of said lot and that the Board could not act as an Enforcement Agency.
It was suggested that Mr. Daansen put up a NO Trespassing sign to discourage misuse of the property. The following motion was made:

MOTION 0039

Motion Number:	0039	Date: May 13,1982
Motion by:	Ed Wheeler, seconded by Nelson Cook	
Title:	Request Supv. Aplin to Contact W. Daansen in letter form suggesting erection of NO Trespassing sign (Lot 49)	

Don Sinclair suggested this problem should perhaps fall under the "neighbor watch" type system. That the problem should be made mention of in the local paper. That incidents could be brought to the attention of the Sheriff's Department or to the Town. Attorney Paul Rubery pointed out;however, that the Town was not equipped to provide this service to any and all vacant lots within the Township.

The motion was passed with 5 ayes.

TOWN BLDG. COMM.

Town Building Committee - David Lyon, Chairman

Councilman Lyon reported that bids were in on the contracts (Motion 0031) but he was waiting for recommendations from Dave Matthews of Hershey Malone. He expects to have the recommendations by the next Board meeting.

Supv. Aplin then briefly discussed the Cablevision communication with Paul Rubery. Because the HBO Section of Cablevision is not a franchise, it was determined no hearing had to be held before they could legally raise their rates. Supv. Aplin questioned attorney Rubery about the Lighting Contract and Paul responded that he was still waiting to hear from the insurance agent.

OTHER BUSINESS

Other Business -

Supervisor Aplin requested approval to attend the 33 Annual Summer Conference for Supervisors. The following resolution was then put before the Board.

MOTION 0040

Motion Number:	1982 40	Date: May 13,1982
Motion by:	David Lyon, seconded by Don Sinclair	
Title:	Approval for Supervisor to Attend Conference with Expenses paid by Town	

The motion was passed with 5 ayes.

MOTION TO ADJOURN

David Lyon made the motion to adjourn the meeting, seconded by Don Sinclair and passed with 5 ayes.

Respectfully submitted,

Leona M. Busch

Leona M. Busch, Deputy Town Clerk

May 27, 1982

MEETING OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, May 27, 1982 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin.

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

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor Roy Aplin, Town Councilmen David Lyon, Edwin Wheeler and Donald Sinclair.

Others attending this meeting were: Town Attorney Paul Rubery, Assessor/Zoning Officer Judson Roney, Deputy Supervisor Peter Buck, Chuck Lyons of the Courier-Journal, Betty Palmeter, Kathy Demont, Joanne Sroka, Mr. Bellefontaine and 2 unidentified persons.

MOTION TO BRING MOTION ONTO TABLE

The next item of business on the agenda was the approval of the minutes of the April 22nd meeting, tabled from the May 13th meeting. A motion was made by Edwin Wheeler, seconded by David Lyon to bring that motion back on the table. Motion passed with 4 ayes.

DISC. RE: MIN. OF 4/22

As requested at the last meeting, the tape containing the part of the minutes being questioned by Supervisor Aplin, was listened to by those present. The Board then discussed this matter at length. During the discussion, Town Attorney Rubery advised that the motion on the table would have to be voted on. Then, if the Board desired to do so, a motion could be made to amend the minutes. At this time, the motion on the table to approve the minutes of the April 22nd meeting as submitted was carried with a vote of 3 ayes and 1 no, Supervisor Aplin voting no. There was no motion offered to amend the minutes of the April 22nd meeting.

MOTION TO APPR. MIN. OF 4/22

Approval of the minutes of the May 13th meeting was deferred to the next meeting.

COMMUNICATIONS

Communications -

(1) Letter from Wayne County Board of Elections in regard to Polling Places - Rules and Regulations for the Handicapped

(2) Letter from Mrs. Betty Palmeter in regard to a Speed Limit on Stafford Road, also a Petition for the Speed Limit. Both were referred to the Highway Committee.

Town Councilman Nelson Cook joined the meeting at this time.

MOTION TO PAY BILLS

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

ABSTRACT # 5A

GENERAL FUND	Vouchers	# 165 - 175	$12,685.67
PART TOWN FUND	"	# 32 - 33	339.64
FEDERAL REVENUE SHARING	"	# 6 - 8	1,174.19
HIGHWAY ITEM I	"	# 10 - 13	14,523.04
HIGHWAY ITEM III	"	# 90 - 95	453.40
HIGHWAY ITEM IV	"	# 36	9,710.00
SOUTH WATER DISTRICT	"	# 19	8.39
EAST WATER DISTRICT	"	# 20	1,775.00
TOTAL			$40,669.33

REPORTS OF COMMITTEES

Reports of Standing Committees

Highway Committee - Edwin Wheeler, Chairman

HIGHWAY

Mr. Wheeler reported that the Highway Committee had held a meeting on Saturday morning and as a result of that meeting, he had some Resolutions to offer for the Board's consideration and some items for discussion.

(1) Request for use of Town Equipment and crew

MOTION NO. 1982-0041

Motion number: 1982 - 0041 Date: May 27, 1982

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Approval of request for use of Town equipment and Town crew for work at Palmyra Playground

APPR. OF REQUEST - FROM PAL. PLAYGROUND COMM.

WHEREAS, the citizen's committee has requested a large truck and crew for assistance in erecting a public playground at the Canandaigua Street Elementary School site for one day,
NOW, THEREFORE BE IT RESOLVED, that the Town of Palmyra shall furnish a truck and one driver for one day upon the following conditions:

A. That this committee shall furnish a release from the Palmyra-Macedon Central School District releasing the Town from liability because of participation in the project.

B. That the committee furnish a public liability policy at least in the amount of $500,000 naming the Town as an additional insured.

C. That the committee obtain a release of the Town for any damage to school property over the designated access routes.

Motion passed with 5 ayes.

(2) Request of Town Highway Superintendent for authorization to submit bids on behalf of the Town of Palmyra

MOTION NO. 1982-0042

Motion number: 1982 - 0042 Date: May 27, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Authorization for Town Highway Superintendent to submit bids on behalf of the Town of Palmyra

AUTHOR. FOR TN. HWY. SUPER. TO SUBMIT BIDS

WHEREAS, the Town of Palmyra is in need of additional trucks and related equipment for snowplowing; and
WHEREAS, from time to time the Superintendent of Highways is able to find surplus equipment available from other municipal or state agencies and authorities and is in need of authority to bind the Town to hold the equipment at a sale of such equipment,
NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Town Highway Superintendent to submit bids on behalf of the Town of Palmyra at any sale of surplus equipment being sold by municipal or state agencies or authorities which fulfill a current need of the Town Highway Department as determined by the Town Highway Committee in an amount not to exceed $20,000.
BE IT FURTHER RESOLVED, that the Town of Palmyra and its Supervisor be authorized to issue a letter to the Town Highway Superintendent reflecting the authority granted in this motion.

Motion passed with 5 ayes.

(3) Penn Central West Shore Railroad Property - Preemptive rights

MOTION NO. 1982-0043

Motion number: 1982 - 0043 Date: May 27, 1982

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Release of Preemptive rights to purchase Railroad property of West Shore Railroad - Penn Central

RELEASE OF PRE-EMP. RIGHTS RE: R.R. PROP.

WHEREAS, the Town of Palmyra has certain preemptive rights with regard to the Penn Central West Shore Railroad; and
WHEREAS, the Town of Palmyra has been informed that the sale of said property will not interfere with the public use of the highway known as Quaker Road, which is contained within the confines of said railroad property, nor the existing waterlines.
NOW, THEREFORE, BE IT RESOLVED that on those assurances, the Town of Palmyra releases its preemptive rights to purchase the real property of the West Shore Railroad extending westerly from the former Webaco property to the east Town line of the Town of Macedon.

Following discussion, the motion was passed with 5 ayes.

REQUEST FOR SPEED LIMIT STAFFORD RD

(4) Communication # 2, the letter and petition requesting a Speed limit on Stafford Road which was referred to the Highway Committee, was brought before the Board for discussion. A letter of 1977 also concerning a request for a Speed limit was read by Mr. Wheeler. Several residents of Stafford Road were present and entered into the discussion.

MOTION TO OPEN AGENDA

A motion was made by Edwin Wheeler to open the agenda to allow for a motion pertinent to the discussion concerning the request for a Speed limit on Stafford Road. The motion was seconded by Nelson Cook and passed with 5 ayes.

MOTION NO. 1982-0044

AUTHOR. TO SUPPORT PETITION FOR SPEED LIMIT ON STAFFORD RD

Motion number: 1982 - 0044 Date: May 27, 1982
Motion by: Edwin Wheeler, seconded by Donald Sinclair
Title: Authorization for Supervisor to start correspondence supporting request for Speed limit on Stafford Road

Resolved, that the Town Board of the Town of Palmyra in it's full support, asks the Supervisor to start the necessary proceedings to appeal to the County and State to establish a Speed limit on Stafford Road, and
Be it further Resolved, that the Town Board supports the Petition presented by the residents of Stafford Road.

Motion passed with 5 ayes.

During the discussion which followed, suggestions were made as to where correspondence could be sent by the Supervisor, as well as the residents of Stafford Road to alert officials and businesses to this populated area.

DIV. ST. DRAINAGE PROBLEM

(5) Division Street Drainage Problem

Mr. Wheeler reported that this problem has again been brought to the Board's attention. Following some discussion, this matter was referred to the Highway Committee for study.

BONNIE LANE DRAINAGE PROB.

(6) Drainage Problem involving Bonnie Lane, Betty Brae Way and O'Brien Lane

Mr. Wheeler reported that a dye test is to be made to determine, if possible, the source of the problem in this area. Discussion followed.

(7) Request from Town Highway Superintendent for authorization to attend school at Cornell University

MOTION NO. 1982-0045

APPR. TO ATTEND SCHOOL

Motion number: 1982 - 0045 Date: May 27, 1982
Motion by: Edwin Wheeler, seconded by Nelson Cook
Title: Approval to attend Highway Superintendent schooling at Cornell University

Resolved, that the Town Board of the Town of Palmyra approve the request of Town Highway Superintendent DeBrine and Deputy Superintendent Kaller to attend school for Highway Superintendents at Cornell University with all necessary expenses a proper charge to the Town.

Motion passed with 5 ayes.

WATER COMM.

Water Committee - David Lyon, Chairman

Nothing to report at this time.

LANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman

Mr. Sinclair reported that the Landfill is being operated according to DEC regulations and there are no problems of which he is aware. Councilman Cook questioned if the Town had ever received a reply from the DEC concerning the State Permit and this led to a general discussion concerning the operation of the Landfill, expected life-use of the Landfill, correspondence with State officials, the question of digging more cells, operating beyond the time allowed under the State Permit.

CEMETERIES COMM.

Cemeteries Committee - Donald Sinclair, Chairman

Mr. Sinclair reported that he has made arrangements to have the East Palmyra Cemetery and Swift's Cemetery taken care of during June, July, August and Canaltown Days week-end by Fred Harding (E.Palmyra) and Warner Strong (Swift's).

MOTION TO OPEN AGENDA TO DISC.

A motion to open the agenda t[illegible] discussion concerning the Cemetery help was made by Donald Sinclair, seconded by Nelson Cook and passed with 5 ayes.

Mr. Sinclair then explained to the Board what arrangements he has made with Mr. Harding and Mr. Strong. Discussion followed. Mr. Sinclair offered a Resolution for the Board's consideration.

Motion number: 1982 - 0046 Date: May 27, 1982

Motion by: Donald Sinclair, seconded by Nelson Cook

Title: Approval to hire Cemetery help

MOTION NO. 1982-0046

APPR. TO HIRE CEM. HELP

Resolved, that the Town Board of the Town of Palmyra authorize Councilman Sinclair to hire Fred Harding to care for the East Palmyra Cemetery for a salary not to exceed $75 and to hire Warner Strong to care for the Swift's Cemetery for a salary not to exceed $85.

Following further discussion, the motion was passed with 5 ayes.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSESS., PL.& ZON. COMM.

Nothing to report at this time.

Town Building Committee - David Lyon, Chairman

TN. BLDG.COMM

Repairs on Town Building

Mr. Lyon reported that the bids which were opened on May 11th have been reviewed, studied and he made his recommendations with the following Resolutions - submitted for the Board's consideration.

Motion number: 1982 - 0047 Date: May 27, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Contract for Heating System and Insulation - 2nd flöor

MOTION NO. 1982-0047

CONTR.FOR HTG.SYS.& INSULA.

WHEREAS, the Town has solicited bids for the insulation of the Town Building and the installation of a new heating system and related work thereto all in accordance with the plans and specifications prepared by Hershey, Malone & Associates; and
WHEREAS, Pal Mac Heating & Plumbing was the low bidder for the installation of the heating system and related items thereto with a bid of $4,875.00; and
WHEREAS, Victor Roofing & Siding is the low bidder for the insulation of the Town building in accordance with the plans and specifications prepared by Hershey, Malone & Associates,
NOW, THEREFORE, BE IT RESOLVED, that the Town does hereby award the bid for the heating system installation and related work to Pal Macc Heating & Plumbing; and
BE IT FURTHER RESOLVED, that the Town awards the contract for the insulation of the Town building to Victor Roofing & Siding with a bid of $1260, and
BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute the contract documents for a price for each not to exceed the minimum bid made by the successful bidder.

Motion passed with 5 ayes.

Motion number: 1982 - 0048 Date: May 27, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Contract for Roof Repair

MOTION NO. 1982-0048

CONTR FOR ROOF REPAIR

WHEREAS, the Town Board advertised for bids for repair to the wooden roof deck and the installation of a one ply roof in accordance with the plans and specifications prepared by Hershey, Malone & Associates; and
WHEREAS, three bids were submitted and there was an informality with regard to the lowest bid in the filling in of the per square foot price for repair to the wooden deck; and
WHEREAS, the next lowest bidder has verbally agreed to waive said informality provided the total price for the roof and repair of the wooden deck do not exceed $5,600.00, which represents a cost for the repair of the deck not to exceed $4.00 per square foot; and
WHEREAS, the lowest bidder, Victor Roofing & Siding has agreed that the total price for the repair of the wooden deck and installation of the new roof, pursuant to the plans and specifications of Hershey, Malone & Associates as set forth in the bid, will not exceed $5,600.00.
NOW, THEREFORE, BE IT RESOLVED, that the Town hereby waives the informality of the price per square foot with regard to the bid submitted by Victor Roofing & Siding; and
BE IT FURTHER RESOLVED, that based upon the recitations and conditions set forth above, that the bid for performing items 1 and 2 involving the repair of the roof deck and the installation of a new roof pursuant to the specifications and plans of Hershey, Malone & Associates be awarded to Victor Roofing & Siding for a price not to exceed $5,600.00; and
BE IT FURTHER RESOLVED, that the officers the Town are authorized to do anything in furtherance of awarding the bid to Victor Roofing & Siding.

Following an explanation of the bids by David Lyon and some discussion by the Board, the motion passed with 5 ayes.

MOTION NO.
1982-0049

CONTR. FOR WATER-PROOFING

Motion number: 1982 - 0049 Date: May 27, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Contract for Waterproofing of Town Building

WHEREAS, the Town has put out specifications for waterproofing the Town building, which were alternates to the bids for the repair of the roof deck and the installation of the new roof; and
WHEREAS, the Town hereby rejects all the bids submitted for the waterproofing, which was listed as Alternate 1 on the Town Bid summary as prepared by Hershey Malone & Associates; and
WHEREAS, it is necessary to rebid the items contained in Alternate 1,
NOW, THEREFORE, BE IT RESOLVED, that the Town does hereby reject all the bids made for Alternate 1 under the specifications prepared by Hershey, Malone & Associates as part of the contract documents for the repair of the roof deck and the installation of a new roof covering; and
BE IT FURTHER RESOLVED, that the Town shall rebid the waterproofing as soon as the contract documents and specifications can be prepared; and
BE IT FURTHER RESOLVED, that the Town Clerk is authorized to publish a legal notice concerning such bid in the official Town newspaper on the 9th day of June, 1982, for a bid opening to be at 10:00 A.M. on the 22nd day of June 1982.

Motion passed with 5 ayes.

ECONOMIC DEVEL. COMM.

Economic Development Committee - Roy Aplin, Chairman

WAYNE CO. SHOW-OFF

Supervisor Aplin reported that the Wayne County Show-Off held at the County Highway Barns was a very successful program which promoted business with 80 displays of Wayne County. The Show-Off generated much interest County-wise and brought to the public's attention what Wayne County has to offer.

Other Business -

OTHER BUSINESS

Supervisor Aplin offered the following Resolutions on Transfers of Funds for the Board's consideration.

MOTION NO.
1982-0050

TRANS. OF FUNDS

Motion number: 1982 - 0050 Date: May 27, 1982

Motion by: Roy Aplin, seconded by Nelson Cook

Title: Transfer of Funds - Employee Benefits

Resolved, that the Town Board of the Town of Palmyra approve the transfer of Funds in the General Highway Fund I Account No. DR 9060.8 - Employee Benefits-Hospitalization to General Highway Fund I Account No. DR 9010.8 - Employee Benefits - Retirement in the amount of $125.00 to cover the insufficient funds in the Retirement Account No. DR 9010.8.

Motion passed with 5 ayes.

MOTION NO.
1982 - 0051

TRANS. OF FUNDS

Motion number: 1982 - 0051 Date: May 27, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds - Employee Benefits

RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of $88.00 from the Contingency Fund Account No. A 1990.4 to the Employee Benefit Retirement Account No. A 9010.8 to cover the insufficient funds in the Employee Benefit - Retirement Account No. A 9010.8.

Motion passed with 5 ayes.

MOTION NO.
1982 - 0052

USE OF EXCESS FUNDS - HEALTH OFFICER

Motion number: 1982 - 0052 Date: May 27, 1982

Motion by: Roy Aplin, seconded by David Lyon

Title: Use of Excess Funds (Part Town Fund)

WHEREAS, there were not funds allocated in the 1981 Budget in the Part Town Fund for Personal Services for the Board of Health (B4010.1); and
WHEREAS, there are excess funds in the Part Town Fund,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra use the excess funds in the amount of $588.45 to be used to pay the Voucher duly signed and presented by Dr. Morton Adams to the Town of Palmyra for the year 1981.

Motion passed with 5 ayes.

A motion was made by Nelson Cook, seconded by Donald Sinclair to go into Executive session to discuss some possible litigation. Motion passed with 5 ayes. The Town Attorney, Town Clerk and Zoning Officer were requested to attend this session. MOTION TO HOLD EXEC. SESSION

Following the discussion in Executivee session, a motion to return to regular session was made by Edwin Wheeler, seconded by Donald Sinclair and passed with 5 ayes. MOTION TO RET. TO REG. SESSION

The motion to adjourn was offered by Edwin Wheeler, seconded by Donald Sinclair and passed with 5 ayes. MOTION TO ADJOURN

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

June 10, 1982

MTG. OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held at 8:00 P.M. on Thursday, June 10, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin.

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

ROLL CALL

Upon Roll Call, those Town Officers present for this meeting were: Supervisor Roy Aplin, Town Councilmen David Lyon, Nelson Cook and Edwin Wheeler. Town Councilman Donald Sinclair had notified the Town Office he would not be able to attend the meeting.

MOTION TO APPR. MIN. OF 5/13 & 5/27

A motion was made by Edwin Wheeler, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of the May 13th and the May 27th meetings. Motion passed with 4 ayes.

COMMUNICA-TIONS

Communications:

1. Letter from New York State Departmentrof Transportation concerning the CHIPS Program
2. Letter from Cablevision Industries, Inc. re: Notification of Franchise Transfer - the Clerk was requested to check with the Town Attorney.
3. Letter from Palmyra-Macedon Central School re: Board of Education members.
4. Request from Canaltown Snowmobilers for use of secondary roads.
5. Letter from Foley & Foley requesting a time to appear before the Town Board re: the G. Wheeler matter.

MOTION TO PAY BILLS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Nelson Cook to approve payment of the Claims as shown on Abstracts # 5B and # 6. Motion passed with 4 ayes - David Lyon abstained on Voucher # 103 Abstract # 6. The Vouchers were listed by Funds as follows:

ABSTR. #5B

ABSTRACT # 5 B

GENERAL FUND	Vouchers # 176-177	$7963.45
PART TOWN FUND	" # 34- 35	182.33
HIGHWAY ITEM I	" # 14	472.01
NORTH WATER DISTRICT	" # 20- 21	57.89
SOUTH WATER DISTRICT	" # 20- 21	28.01
EAST WATER DISTRICT	" # 21- 22	7.46
TOTAL		$8711.15

ABSTR. # 6

ABSTRACT # 6

GENERAL FUND	Vouchers # 178 - 195	$3656.52
PART TOWN FUND	" # 36 - 38	234.29
HIGHWAY ITEM I	" # 15	3522.58
HIGHWAY ITEM III	" # 96 - 112	1595.64
EAST WATER DISTRICT	" # 23	16.22
TOTAL		$9025.25

REPORTS OF STANDING COMM.

Reports of Standing Committees -

Highway Committee - Edwin Wheeler, Chairman

HWY. COMM.

INSURANCE

(1) Insurance - Mr. Wheeler offered a brief report concerning some correspondence and check received in regard to Town equipment involved in the accident with the Amtrak train earlier this year.

REQUEST FOR USE OF SECONDARY RDS.

(2) Communication # 4 concerning a request from the Canaltown Snowmobilers for use of secondary roads will be taken up at the next Highway Committee meeting.

PLAYGROUND COMMITTEE

(3) Palmyra Playground Committee - Mr. Wheeler asked if the office or the Supervisor had received any response from the letter sent following the last meeting. Considering that the work on the Playground is to be done before the next Board meeting, Mr. Lyon was asked to contact Mr. DeBrine re: this matter.

73·89 +
300·00 +
109·00 +
502·89 *

July 1982

(4) Request for Speed Limit on Stafford Road - Supervisor Aplin reported that he has sent the necessary papers to the proper authorities and notified the residents on Stafford Road. Brief discussion followed. SPEED LIMIT STAFFORD RD.

(5) Bridge at Swift's Landing - Hogback Hill Road - Supervisor Aplin reported that he had reminded the Wayne County Highway Committee that the bridge was still out. He was advised that an engineer will check this matter. Mr. Lyon also reported that the residents in the area are planning to submit another petition requesting the opening of that bridge. HOGBACK HILL RD. BRIDGE

Water Committee - David Lyon, Chairman WATER COMM.

Nothing to report at this time.

Landfill Committee - Donald Sinclair, Chairman LANDFILL COMM.

No report - Chairman Sinclair was absent.

Cemeteries Committee - Donald Sinclair, Chairman CEMETERIES COMM.

A brief report in regard to Swift's Cemetery was made by the Clerk for Mr. Sinclair.

Assessment, Planning and Zoning Committee - Nelson Cook, Chairman ASSESS.PL.& ZON. COMM.

(1)Assessment - Mr. Cook reported that there seems to be some action in regard to a settlement with the New York Telephone Company and he hopes to have a report soon.

(2) Zoning - Application of William Carroll for Variance to replace Mobile Home CARROLL APPLICATION

Mr. Cook reviewed the application with the Board and briefly outlined the recommendations of the Planning Board. He offered the following Resolution for the Board's consideration.

Motion number: 1982 - 0053 Date: June 10, 1982 MOTION NO. 1982-0053

Motion by: Nelson Cook, seconded by David Lyon

Title: Approval to Advertise for Public Hearing (Carroll) APPR. TO ADV FOR PUB.HRG.

Resolved, that the Town Board of the Town of Palmyra authorize the Clerk to advertise for a Public Hearing to be held on Thursday, June 24, 1982 at 8:00 P.M. in the Town Office to consider the application of William Carroll for a Variance to Section 1300 - Article 13 of the Mobile Home Ordinance for the Town of Palmyra.

Motion passed with 4 ayes.

(3) Communication # 5 - Gordon Wheeler matter G. WHEELER

The Clerk was asked to respond to Mr. Foley's letter concerning the request to place the Wheeler matter on the agenda for the first meeting following the June 24th meeting.

(4) Items to be added to the Agenda - ITEMS ADDED TO AGENDA (MOTION)

A motion was made by Nelson Cook, seconded by David Lyon to add the Eugene Shiels Building Permit Extension and the Brion Havert violation to the Agenda. Following discussion, the motion was passed with 4 ayes.

(a) Eugene Shiels Building Permit Extension - Mr. Cook read a letter from Mr. Shiels containing a program of his intentions in regard to the finishing of his house as he was requested to do last November when he was granted a 6 months extension to his Building Permit issued in 1975. Mr. Cook requested the Board to consider an additional extension of one year to give Mr. Shiels ample time to complete the house. This matter was discussed at length by the Board and there were comments by Zoning Officer Judson Roney. The Board indicated that Mr. Shiels' list was incomplete and they needed more information. They also felt that it would be desirable to have a letter or statement drawn up with some conditions listed which Mr. Shiels could sign. Mr. Cook will contact Mr. Shiels - also Town Attorney Rubery in regard to this matter before the Board makes the decision on the length of an extension for Mr. Shiels. E. SHIELS BLDG. PERMIT EXTENSION

ZONING - CONT'D (b) Brion Havert Mobile Home Violation - Mr. Cook advised the Board

B. HAVERT VIOLATION

that Brion Havert who operates a Body Repair Shop on Canadaigua Road brought a Mobile Home in next to his shop and indicated that it was there for repairs following a fire and as soon as the repairs were completed (perhaps 2 or 3 months), the mobile home would be moved to a Park. He was given until May 31st and has been cited for Violation of the Town Mobile Home Ordinance as the mobile home is still on the premeises. During the meeting, Mr. Havert called, advised Mr. Roney that he had located a Mobile Home site South of Port Gibson and, as soon as the cement pad is ready, he will move the mobile home from the property on Canandaigua Road.

N.Y.S. BLDG. CODE - COMMERC.

(c) New York State Building Code - Commercial Building

Mr. Cook and Mr. Roney both spoke to the Board concerning the need for an engineer to review plans of any Commercial building and Mr. Roney offered some comments in regard to legislation concerning fees for the reviewing of such plans for Commercial building.

ASSESSMENT COMMENTS RE: GRIEVANCES

(d) Grievances concerning Assessments - Mr. Roney asked to make a few comments in regard to taxpayers complaining about their assessments forcing their taxes to go up when it has been discovered that, in two instances, it is not the fact that the assessments are up but, rather that the banks are requesting more funds for the escrow accounts. Discussion followed.

TN. BLDG. COMM.

Town Building Committee - David Lyon, Chairman

Mr. Lyon reported briefly that the Committee and the Engineers are working with the Bidders in regard to settling the Contract for the Waterproofing of the Building. There are no official agreements nor documents to sign at this time. General discussion followed.

OTHER BUSINESS

Other Business -

DESIGNATION OF POLLING PLACES & ACCESS FOR HANDICAPPED

(1) Designation of Polling Places for Election Districts and Access for Handicapped persons.

Mr. Aplin reported that all the polling places were accessible for handicapped people. The Board then discussed the designation of polling places for the Election Districts - 3 Districts will need to be permanently designated with 3 Districts remaining as they have been designated before. Following further discussion, a Resolution was offered for the Board's consideration.

MOTION NO. 1982-0054

Motion number: 1982 - 0054 Date: June 10, 1982

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Designation of Polling Places

POLLING PLACES

Resolved, that the Town Board of the Town of Palmyra establish polling places in the Election Districts of the Town of Palmyra as follows:

Election District # I	Western Presbyterian Church - Rear Entrance
Election District # II	St. Anne's Church Hall - South Entrance
Election District # III	U.W. Sherburne - West Main Street
Election District # IV	Town Hall - 201 East Main Street
Election District # V	East Palmyra Fire Hall - East Palmyra
Election District # VI	Palmyra Fire Hall - East Main Street

Motion passed with 4 ayes.

BD. MTGS. JULY & AUG.

(2) Town Board meetings in July and August - the following Resolution was offered for the Board's consideration.

MOTION NO. 1982-0055

Motion number: 1982 - 0055 Date: June 10, 1982

Motion by: Edwin Wheeler, seconded by David Lyon

BD. MTGS. IN JULY & AUG.

Title: Cancellation of meetings · July and August

Resolved, that the Town Board of the Town of Palmyra cancel the first regular meetings in July and August and schedule one regular meeting for July 22nd and one regular meeting for August 26th.

Motion passed with 4 ayes.

(3) Review of Breakdown on Town Justices Contractual Expenses Account

TN. JUSTICE CONTR. EXP. DISC.

Supervisor Aplin and the Board members reviewed and discussed the status of the Town Justices Contractual Expenses Account. Mr. Aplin also, on behalf of Town Justice Hunt, made a request for a tape recorder, but the Board indicated that as there are no funds for additional equipment, the recorder is not an absolute necessity and there is a portable recorder available through the Town Office, they could not approve the request.

(4) Transfer of Funds - Justices Personal Services to Justices Contractual Expenses

TRANS. OF FUNDS

Motion number: 1982 - 0056 Date: June 10, 1982

MOTION NO. 1982-0056

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Transfer of Funds - Justices Personal to Justices Contractual

TRANS. OF FUNDS JUSTICES PERS. TO CONTR.

WHEREAS, there are insufficient funds in the amount of $230.55 in the Justices Contractual Expenses Account No. A 1110.4, and

WHEREAS, there is monies in Justices - Personal Services Account No. A 1110.1 in the amount of $7408.38,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds from the Justices - Personal Services Account No. A 1110.1 to the Justices - Contractual Expenses Account No. A 1110.4 in the amount of $230.55.

Motion passed with 4 ayes.

(5) A motion was made by Edwin Wheeler, seconded by David Lyon to add an item concerning the 1980 Census Neighborhood Statistics Program to the Agenda. Motion passed with 4 ayes.

MOTION TO ADD ITEM TO AGENDA

CENSUS PROG

The Board briefly discussed this program and the following Resolution was offered.

Motion number: 1982 - 0057 Date: June 10, 1982

MOTION NO. 1982-0057

Motion by: Edwin Wheeler, seconded by David Lyon

Title: County-wide Participation in Neighborhood Statistics Program

CO. WIDE PARTICIP. IN CENSUS PROGRAM

Resolved, that the Town of Palmyra, New York hereby authorizes the Chairman of the Wayne County Board of Supervisors to submit in its behalf a letter to the Director, Bureau of the Census, requesting county-wide participation in the Neighborhood Statistics Program for the purpose of obtaining detailed 1980 census data by "neighborhoods". This data will be used by the County and its municipalities to further their interests through preparing grant applications and evaluating present and future programs, and

Be it further resolved, that the municipality further approves of the Chairman's designating the County Planning Director as the "local contact person".

Motion passed with 4 ayes.

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

MOTION TO ADJOURN

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

June 24, 1982

PUBLIC HEARING

PUBLIC HEARING

CARROLL APPLIC.

VARIANCE TO MOBILE HOME ORD.

The Public Hearing scheduled to be held at 8:00 P.M. on Thursday, June 24, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of William Carroll, 4363 Newark-Palmyra Road, Palmyra, New York for a Variance for a change of Mobile Home size under Article 13, Section 1300 of the Mobile Home Ordinance of the Town of Palmyra was opened by Supervisor Aplin.

Interested persons attending were: William Carroll, Paul & Marjorie Fegadel, Judson Roney, Zoning Enforcement Officer, Town Attorney Paul Rubery, Chuck Lyons, of the Courier-Journal, James Elliott and John Rush.

The Proof of Publication was read by the Clerk.

Supervisor Aplin requested those who were in favor of this application to speak at this time.

Mr. Paul Fegadel of Rochester and a son-in-law of Mr. Carroll spoke for Mr. Carroll in regard to this application. He stated that the trailer now on the property, an 8' x 35', was a common size when it was placed on the property 22 years ago, and, Mr. Carroll now wishes to sell the trailer and property and has found that there is a hardship to sell a trailer of this size. Trailer sizes have changed and laws have changed Mr. Fegadel said. Therefore, Mr. Carroll is seeking a Variance for a size of Mobile Home not to exceed 14'x70'.

Zoning Officer Roney stated that Mr. Carroll wishes to sell the property with a Variance which would allow a larger mobile home to be placed on the property.

Councilman Wheeler questioned if the Variance was to the person or the property and this point was discussed at length by the Board.

Supervisor Aplin raised the question as to how a larger mobile home would affect the lot line set-backs as required by the Zoning Ordinance and Mr. Roney stated that there were no problems with the lot line set-backs.

Mr. Aplin also questioned the size of the present leach field(septic system) - would it be sufficient to take care of a larger mobile home with more occupants? Mr. Fegadel replied that the system could take care of 2 persons with no problem.

Mr. Roney requested that the report from the Planning Board be read.

Councilman Sinclair asked if Mr. Carroll was selling the lot and not the trailer and Mr. Fegadel again replied stating that Mr. Carroll wishes to sell the lot and the trailer with the option to replace the present trailer with a larger trailer. It is possible the septic system will have to be enlarged.

Mr. Sinclair asked if the Board could hear the recommendations from the Planning Board.

Councilman Lyon asked how long the property has been for sale and Mr. Fegadel replied about a month and stated that they really haven't pursued the selling of the property because of seeking the Variance but they have had many calls from people with larger trailers. Mr. Lyon questioned the need for a Variance at this time considering that the property has been for sale for such a short time and there always seems to be a need for small, low-cost housing. Mrs. Fegadel also stated that the calls they have received so far were from people with larger trailers. Mr Roney also informed the Board that he had received the first phone call concerning this property about 6 weeks ago.

Mr. Lyon asked Mr. Roney if he had checked on the same size trailer (8'x 35')being available at the present time and Mr. Roney replied that the 8'x 35' size is not listed in the catalogs.

At this time, the Clerk was asked to read the recommendations from the

AFFIDAVIT OF PUBLICATION

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

TOWN OF PALMYRA
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Palmyra will hold a Public Hearing on Thursday, June 24, 1982 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York, to consider the application of William Carroll, 4353 Newark-Palmyra Road, Palmyra, New York for a Variance for change of Mobile Home size under Article 13, Section 1300 of the Mobile Home Ordinance of the Town of Palmyra.
The said Town Board will at said time and place hear all persons in support of said application, or any objection thereto. Persons may appear in person or by attorney or agent.
Dated: June 1[illegible], 1982
By Order of the Town Board of the Town of Palmyra
Betty B. Stubbings
Town Clerk
(837) (J16)

....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:

........June 16, 1982..

....

....

....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 25th day of June 1982

Judith A. MacDuff
Notary Public

Fee: $ 10.37

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1983

Planning Board. They were as follows:

To: Nelson Cook, Councilman Re: Building Permit Application 82-231
This is to advise you that, at it's meeting of 8 June 1982, the Planning Board reviewed the application of William Carroll, 4363 Palmyra-Newark Road, for the replacement of an 8' x 35' mobile home with a 14' x 70' mobile unit.

PUBLIC HEARING (CARROLL) CONT'D

By a motion introduced by Lyman Kaller and seconded by David Pinkney, the Board unanimously approved the application. However, approval was contingent upon (1) having the property inspected by a civil engineer to determine if the septic system is adequate to handle waste for a three bedroom residence, and (2) that occupancy of the new unit not be made until the Building Inspector issues a Certificate of Occupancy.

Should the present septic system not be in compliance with New York State Department of Health standards for a three bedroom house, such a system would have to be designed, approved by the Building Inspector, and installed before occupancy of a larger mobile unit could occur.
Respectfully submitted, Nancy M. Cushman, Secretary to the Planning Board

Supervisor Aplin asked if there were any questions on the recommendations of the Planning Board and Mr. Fegadel questioned the need of a Certificate of Occupancy as mentioned in the recommendations as the applicant is not asking to replace with a new trailer - just a different one. Mr. Lyon responded by advising that it is a common request if the size is being expanded and the possibility of more people living there exists. The Board has requested this on homes - possibly where there might be a greater use of water. It can be compared to making an addition on a house. Donald Sinclair added that this would only apply if the buyer wants to expand the square footage of living area.

Town Attorney Paul Rubery questioned how long the Variance would be good for - also, as an example, if a trailer 10'x60' in size was placed on the property, would the Board request that the owners come back for a Variance if and when they wanted to place a larger mobile home on the property? He felt that this brought forth a serious question - would the Board be allowing something in advance, other than an immediate need. Another point was, if you assume the buyer doesn't increase the trailer size in a year - financial reasons or otherwise, will there be a limitation on when they may increase the size? Mr. Rubery advised that the Town Ordinance does not permit an open-ended expansion and stated that normally the Board grants the Variance for a year, and, if there is no change the Variance is lost. Now his concern is that the Town would not be following the usual procedure which has been to grant the Variance for a certain size, and, if the size changes, a new Variance is needed.

Councilman Sinclair asked if the Board could grant a Variance for size and time (1 year).

Mr. Rubery indicated that his suggestion would be, that the Town Board, instead of taking final action now, should indicate to the applicant that their action would be guided not to exceed such and such a point so that they (Town Board) really take the final action when they have a firm committment on a unit that's really going in there. Then they (applicant/buyer) don't lose the year - the decision can be tabled, then brought back on the table when they want affirmative action and they can tell officially where they are. He further suggested that the Board could give an indication that they would be willing to go up to a 14'x70' size, but, if the person doesn't have it, the Board wouldn't act on it until they know what the person does have. Mr. Wheeler added that, as long as they comply with the Certificate of Occupancy and other requirements of the State Building Code, the Board could fol[illegible] Mr. Rubery's suggestions.

When asked how this could be done in the form of a Resolution, Mr. Rubery advised that after the Public Hearing, the Board should be polled - then indicate to the applicant that they are prepared to grant the Variance as soon as they can be given an exact size but they would not grant a Variance to exceed whatever it is.

Mr. Fegadel had some questions and indicated he was concerned about the marketability of the property.

Mr. Sinclair advised Mr. Fegadel that the Board can assist by unofficially agreeing to allow a larger trailer to be placed on the property and the purchase will have to be made contingent upon approval of the Board.

More discussion followed.

Supervisor Aplin asked if there was anyone opposed to this application or if anyone had any more questions or statements concerning this application.

HEARING CLOSED

There being none, the hearing was closed at 8:23 P.M.

REGULAR MEETING OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled for Thursday, June 24, 1982 was called to order at 8:25 P.M. by Supervisor Roy Aplin. Following a moment of silent prayer, those present were led by Supervisor Aplin in the Pledge of Allegiance to the Flag.

ROLL CALL

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

MOTION TO APPR. MIN. OF 6/10/82

Following a review of the minutes submitted for approval, a motion was made by Nelson Cook, seconded by David Lyon to approve as printed the minutes of June 10, 1982. Motion passed with 5 ayes.

Communications-

COMMUNICATIONS

1. Notice from the Wayne County Planning Board re: Census Training Session.

2. Letter from the Wayne County Planning Board re: SEQR Handbook.

3. Letter from St. Anne's Church confirming the use of St. Anne's Church Hall as the polling place for District # 2.

DISCUSSION RE: PROPERTY AT GALLOWAY BRIDGE & BRIDGE AT HARRISON'S MILL

Although it was not listed as a part of the communications, a letter dated June 22, 1982 to Town Attorney Rubery from the Penn Central Corporation in regard to the sale to the Town of Palmyra of property at Galloway Bridge, was brought to the Board's attention. Considerable discussion followed on the closing of this property with the Board members, the Town Attorney and John Rush, an interested resident of Hogback Hill Road where the bridge is located, participating. The discussion also involved the Harrison's Mill Bridge on Hogback Hill Road, the posting of Galloway Bridge for weight limit and seeking an extension on the date of closing for access to the spoil area.

Prior to reviewing the Claims/Vouchers, the following Resolution was offered for the Board's consideration.

MOTION NO. 1982-0058

TRANS OF FUNDS (JUSTICES ACCOUNT)

Motion number: 1982 - 0058 June 10, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Transfer of Funds - Justice Account

Whereas, there are no funds left in the Budget in the Justices Contractual Expenses Account No. A1110.4 and

Whereas, a bill has been presented from Gould Publications in the amount of $9.40 to be charged to the Justices Contractual Expenses Account No. A1110.4,

Now Therefore Be It Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from the Justices Personal Services Account No. A1110.1 to the Justices Contractual Expenses Account No. A1110.4 in the amount of $9.40.

Motion passed with 4 ayes and 1 n David Lyon voting no.

MOTION TO APPR. PAYMENT OF BILLS ON ABSTR. 6A

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Nelson Cook to approve payment of the Vouchers as shown on Abstract # 6A. Motion passed with 5 ayes. The Vouchers were listed by Funds as follows:

ABSTRACT # 6A -

GENERAL FUND	Vouchers # 196 - 211	$ 2917.63	ABSTRACT NO. 6A
PART TOWN FUND	" # 39 - 42	2032.57	
FEDERAL REVENUE SHARING	" # 9 - 10	9000.00	
HIGHWAY ITEM I	" # 16 - 18	6000.05	
HIGHWAY ITEM III	" # 113 - 118	786.05	
NORTH WATER DISTRICT	" # 22	9.28	
SOUTH WATER DISTRICT	" # 22 - 23	18.33	
EAST WATER DISTRICT	" # 24	9.26	
TOTAL		$20773.17	

REPORTS OF COMMITTEES

Reports of Standing Committees -

HWY. COMM.

Highway Committee - Edwin Wheeler, Chairman

1. Posting of Galloway Road Bridge for Weight Limit

This matter was referred to Committee for a report at the next meeting.

PETITION RE: HARRISON'S MILL BRIDGE

2. Petition re: Bridge over Mud Creek at Harrison's Mill on Hogback Hill Road

This petition was presented to the Town Board by John Rush who resides on Hogback Hill Road.

MOTION TO ADD SUBJ. TO AGENDA

A motion was made by Edwin Wheeler, seconded by Donald Sinclair to open the agenda to add the subject of this Petition for discussion and action by the Board. Motion passed with 5 ayes.

DISC.

The petition requesting the re-opening of the bridge over Mud Creek at Harrison's Mill was discussed at length by the Board, Town Attorney Rubery and Mr. Rush. The following REsolution was offered for the Board's consideration:

MOTION NO. 1982-0059

Motion number: 1982 - 0059 June 24, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

REQUEST TO RE-OPEN BRIDGE AT HARRISON'S MILL

Title: Request for the re-opening of Harrison's Mill Bridge

WHEREAS, it has come to the attention of the Town Board of the Town of Palmyra that the Swift's Landing Bridge (Harrison's Mill Bridge) has not been repaired or replaced; and

WHEREAS, the Town of Palmyra has been served with a petition requesting a speedy repair of the bridge by interested citizens and users of the highway, which the Town Board has been asked to forward to the Board of Supervisors of the County of Wayne; and

WHEREAS, the Town Board was informed and believed when the project was commenced that the bridge would be replaced in four to six weeks; and

WHEREAS, it is now more that fifteen months since the project was commenced, and the completion of the project is not planned for this year, and

WHEREAS, the closing of the portion of Hogback Hill Road using the bridge has threatened the safety of residents in the immediate vicinity of the area by severely restricting access by emergency vehicles; and

WHEREAS, the closing of the portion of Hogback Hill Road has seriously inconvenienced not only the residents of Palmyra but the residents of adjacent communities who used that highway and bridge to go to work and to go to church and to seek medical care; and

WHEREAS, other necessary repair work cannot be completed because of lack of access to the area served by Swift's Landing Bridge,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra asks that the project be restored to the priority status it held in 1981; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra request that the Board of Supervisors assist the peoples of the County of Wayne, especially Palmyra and Arcadia residents and the residents of other counties by adopting a resolution directing that the repair work be completed at the earliest possible time and that traffic at Swift's Landing Bridge be restored not later than September 1, 1982; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra asks that the necessary action on this project be taken at the very next meeting of the Board of Supervisors of the County of Wayne.

Motion passed with 5 ayes.

WATER COMM.

Water Committee - David Lyon, Chairman

NO. WATER DIST. M. METER

(1) North Water District Master Meter

Mr. Lyon reported briefly on the progress of the work to determine the location of a possible by-pass at the Master Meter on Division Street.

LDFL. COMM.

Landfill Committee - Donald Sinclair, Chairman

Nothing to report at this time.

CEM. COMM.

Cemeteries Committee - Donald Sinclair, Chairman

Mr. Sinclair indicated that he had nothing to report at this time. Supervisor Aplin stated that in his opinion Swift's Cemetery on Church Street was a disgrace. In response, Mr. Sinclair requested some guidelines for the care of the cemetery from Supervisor Aplin and also stated that if the guidelines were not in the Town Clerk's files by the next meeting, he will resign from the Committee.

SWIFT'S CEM.

ASSESS., PL. & ZON. COMM.

Assessment, Planning and Zoning Committee - Nelson Cook, Chairman

(1) Application of William Carroll

CARROLL APPLIC.

The application of William Carroll for a Variance for a change of mobile home size under Article 13, Section 1300 of the Mobile Home Ordinance, subject of a Public Hearing earlier in the meeting, was again brought before the Board for more discussion on the points raised during the hearing. Following the discussion, a motion was made by Donald Sinclair, seconded by Nelson Cook to table the decision on the Carroll Application. Motion passed with 5 ayes.

MOTION TO TABLE DEC.

BD. OF ASSESS. REVIEW

(2) Board of Assessment Review - Joseph VanScott, Chairman

Mr. VanScott came before the Board to discuss a request presented to the Board last year for funds for professional assistance in assessing Mobile Home Parks as the Board of Assessment Review is seeking ways to evaluate Mobile Home Parks.

MOTION TO HOLD EXEC. SESSION

A motion was made by David Lyon, seconded by Donald Sinclair to go into Executive session to discuss Mobile Home Park assessments. Motion passed with 5 ayes.

MOTION TO RETURN TO REG. MTG.

A motion was made by Edwin Wheeler, seconded by Nelson Cook to end the Executive session and return to the regular meeting. Motion passed with 5 ayes.

The following Resolution was offered for the Board's consideration:

MOTION NO. 1982-0060

Motion number: 1982 - 0060 Date: June 24, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Allocation of Funds for Seminar Purposes

ALLOC. OF FUNDS

Resolved, that the Town Board of the Town of Palmyra allocate funds not to exceed $325.00 to the Board of Assessment Review to be used for Seminar purposes.

Motion passed with 5 ayes.

BD. OF FIRE UNDERWRITERS (ELEC. INSP.)

(3) Board of Fire Underwriters - Electrical Inspection

Mr. Cook requested Town Attorney PaulRubery to address this matter and following Mr. Rubery's remarks and some discussion by the Board, the matter was referred to Committee for recommendations.

(4) Application from Mario Morganti for Special Authorization

APPLICATION OF M. MORGANTI

The application from Marion Morganti for Special Authorization to operate a Used Car Sales Office & Lot, including minor maintenance, at 5100 Palmyra - Newark Road where Mr. Morganti already operates a Gun Shop was presented to the Board and discussed at length. Following the discussion, a Resolution was offered.

MOTION NO. 1982-0061

Motion number: 1982 - 0061 Date: June 24, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Approval to Advertise for Public Hearing (Morganti)

APPR. TO ADV. FOR PUB. HRG.

Resolved, that the Town Board of the Town of Palmyra approve the advertising for a Public Hearing to be held on Thursday, July 22, 1982 at 8:00 P.M. in the Town Office to consider the application of Marion Morganti for Special Authorization to operate a Used Car Sales [illegible]ice and Lot, including minor maintenance at 5100 Palmyra-Newark Road in the Town of Palmyra. Approval is subject to the filing of a proper application and map.

Motion passed with 5 ayes.

BD. OF ASSESS. REV.

(5) Compensation for the members of the Board of Assessment Review was discussed briefly and then deferred until the Board completes their work and the amount of time served this year is known.

OTHER BUS.

Other Business -

(1) Polling Place for Election District # 1

POLLING PLACE FOR ELEC. DIS. I

The Clerk reported that the Chairman of the Property Committee of the Western Presbyterian Church had notified her that the Church had refused the Town's request to use the Fellowship Hall at the Western Presbyterian Church as a Polling Place for Election District I. The Board discussed this matter at length.

MOTION TO DISCONTINUE PRES. CH. AS POLLING PL.

A motion was made by Donald Sinclair, seconded by David Lyon that the Polling Place for Election District I, designated as the Presbyterian Church in a Resolution dated June 10, 1982, be discontinued. Motion passed with 5 ayes.

MOTION TO ALLOW NEGO. TO LOCATE POLLING PL.

A motion was made by Edwin Wheeler, seconded by Donald Sinclair giving the Supervisor and the Town Clerk the opportunity to negotiate with the Baptist, Methodist or Presbyterian Church, and the Village of Palmyra (Park & Club Rooms) for the location of a Polling Place for Election District I. Motion passed with 5 ayes.

TN. BLDG. IMPR PROGRAM

(2) Town Building Improvement Program

Councilman Lyon, Chairman of the Town Building Committee, requested Judson Roney to report briefly on the status of the Contracts and to submit any other information pertinent to this matter. Mr. Roney advised the Board that there will be a meeting in the Town Office on Wednesday, June 30th at 10:00 A.M. with the Town Engineer and the contractors to complete the remaining legalities. It is expected that the work will be completed within the next 2 or 3 weeks.

MTG. ON 6/30

DESK FOR SUPER.

(3) Desk for the Supervisor

Supervisor Aplin stated for the Board's information and for the record that, as long as the Board has not provided a desk, he is bringing in his own desk and he asked that it be made a part of the record that the desk is his property, not the Town's. The Councilmen indicated that they were not aware that they had refused to obtain a desk for Mr. Aplin.

MOTION TO ADJOURN

The motion to adjourn was offered by Edwin Wheeler, seconded by Roy Aplin and passed with 5 ayes.

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

July 22, 1982

PUBLIC HEARING

PUBLIC HEARING MORGANTI

The Public Hearing scheduled to be held at 8:00 P.M. on Thursday, July 22, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Mario Morganti to operate a Used Car Sales Office and Lot at 5100 Palmyra-Newark Road was opened by Supervisor Aplin.

Interested persons attending were: Peter Buck, Deputy Supervisor, Mr. & Mrs. Roger DeNering, Mario Morganti, Mary Medora, C. H. Lyons of the Courier Journal, Anthony DeStaffan, Bernadine Hutter, James Foley, Albert Hunt, Town Justice, Mr. & Mrs. Gordon Wheeler, Shelly Smith, Bill DeSeyn, Paul Fegadel, Gary Sperrick, Jacque Wirth and Charles Richardson. Also in attendance were Town Attorney Paul Rubery and Zoning Enforcement Officer Judson Roney.

The Proof of Publication was read by the Clerk.

Supervisor Aplin asked those present if there was anyone who wished to speak in favor of this application.

Anthony DeStaffan, who indicated that he was at the hearing to represent Mario Morganti, stated that a request had been made for a map of the property, and, in checking, he had found that there was no good map, only a tape location map which does not express truly the situation as it exists. There was also a request for a copy of a deed. Mr. DeStaffan had only a deed description but it was the only one and he asked if the Town could make a copy to be placed in the file. Mr. DeStaffan stated that Mr. Morganti had been in business next door to the property in question here and that he had operated an auto dealership (Car Ranch, Inc.), but, at this time, an auto dealership is not the most lucerative business to be in. Generally, for those reasons, Mr. Morganti has removed all the cars basically owned by him to another location, not in the Town of Palmyra. Mr. Morganti owns the neighboring property (formerly Blondells) and wishes to have a Sales Office - a place in which he can manage the situation in case someone is referred to him. He wants to have a place to bring them (customers), and wishes to utilize space for the displaying of 6 cars along the East side of the building (now the Gun Shop) and use the office for the customers. In conjunction with this, in order to made the operation more feasible, he would like to use the building to the South of the area where he wishes to park the cars (now occupied by a monument business) as an Auto Repair location - not for the sake of major repairs, but to have a place to change tires, replace faulty mufflers, etc.. There will be no hydraulic lift - not a complex operation, an adjunct to the present business.

Mr. DeStaffan continued by stating that, at the present time, on approximately 3/4 of an acre, there are 2 buildings, 3 trailers which constitute a legally operated Mobile Home Park. Some of the businesses have been there a considerable time - for example, the monument business. Mr. Morganti made arrangements to have the monument (memorials) business remain. Mr. Morganti's Gun Shop is now located where the Grocery store and Fruit stand first started.

At this point, there was some conversation in regard to the cars on the Car Ranch property. Mr. DeStaffan stated that he had advised Mr. Morganti to beautify the area and Mr. Morganti will see that vehicles are not visible or will remove them from the premises. However, Mr. Morganti has no control over the property (Car Ranch, Inc.) because of some legal proceedings, but, he does have sufficient control to make the ...perty presentable.

Mr. DeStaffan and Mr. Morganti were conversing at this time - inaudible as far as recording their conversation which was not directed to the Board.

Mr. DeStaffan stated that Mr. Morganti wants to be able to operate a Sales Office and Garage and wants very much to cooperate with the Board for whatever

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK,
County of Wayne,

LEGAL NOTICE
NOTICE OF
PUBLIC HEARING
TOWN OF PALMYRA

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will hold a Public Hearing on Thursday, July 22, 1982 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York, to consider the application of Mario Morganti, 103 Cuyler Street, Newark, New York for Special Authorization to operate a Used Car Sales Office & Lot, including minor maintenance, on Route 31 (Palmyra-Newark Road) in the Town of Palmyra. These premises, located at 5100 Palmyra-Newark Road (corner of Hanley Road), are situated in an Agriculture Zone and are bounded on the South by Car Ranch, Inc., and on the East by Hanley Road and on the North and West by Route 31.

The Town of Palmyra Zoning Ordinance, Article III, Section 3.2, Paragraph b, Agricultural Zone, states: Use of land other than for farm purposes requires Special Authorization from the Town Board. Special Authorization is subject to Article VII, Section 7.1 of the Zoning Ordinance.

The said Town Board will at [illegible] all persons in support of said application, or any objection thereto. Persons may appear in person or by attorney [illegible]

Dated: July [illegible]

By order of the Town Board of the Town of Palmyra

Betty B. Stubbings, Town Clerk

[illegible]

...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 14, 1982..............................

....

....

....

Rosalie J Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 29th day of July 19 82

Judith A. MacDuff
Notary Public

Fee: $16.77

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1983

PUBLIC HEARING (MORGANTI) CONT'D

is basically necessary and feasible to accomdate the Board to bring this about and to satisfy the legal requirements. Mr. DeStaffan said Mr. Morganti is only trying to make a decent living and sometimes it's difficult to do that. Being able to consolidate locations could make it more feasible. He could talk in the Sales Office then drive the customer to the other location. Mr. Morganti has tried hard to make the property presentable, keeps the grass mowed, the area trimmed, etc.

Mr. DeStaffan also advised the Board that the Sales Business would not be operated at any unreasonable hours, it would be day hours, no inconvenience to the area, the work (on tires, brakes, mufflers) would not entail any great degree of noise or danger.

Supervisor Aplin asked if there was anyone else who wished to speak.

Mrs. DeNering stated that there is a traffic hazard right there - it's hard to see cars coming - cars are parked both sides of the road and along the building which creates one way traffic at times.

Mr. DeNering added that, while the memorial business has been there, customers' cars are parked perpendicular to the road but they are not used cars which would be parked continuously nor parked on opposite side of the road along with his (Mr. Morganti's) car and other cars. Mr. DeNering also stated that he comes thru there several times a day, the School busses go thru and it's hard to get thru the way the cars are parked now. He mentioned that the access to the garage will be on the Highway.

Mr. Morganti was questioned concerning the number of feet from the bumper of a parked car to the edge of the road and he responded that there would be about 12 feet. Mr. DeStaffan and Mr. Morganti conversed in regard to the parked cars - inaudible to the Board. Mr. DeStaffan then asked Mr. Morganti to address the question of cars on the other side of the road. Mr. Morganti stated that he didn't know how he could fully control customer parking - he has placed Railroad ties to indicate a parking area, encouraging people to park off the road. The front area is open but he can't guarantee where the customer is going to park his car.

There was another conversation involving Mr. & Mrs. DeNering, Mr. DeStaffan and Mr. Morganti which was inaudible to the Board.

Councilman Cook asked for more information concerning the footage from the bumper of a parked car to the edge of the road.

The installation of No Parking signs was mentioned by Mr. Morganti. He also spoke concerning the monuments which have been delivered by Tractor-trailer for the past 30 years on an average of once a week and that has created no traffic problem. Referring to access to the garage, the vehicles being serviced will be his own vehicles. There will be no service to the public so there will be no parking of vehicles on the road while waiting to be serviced.

Supervisor Aplin referred to the sketch submitted and this led to a discussion between Mr. Aplin and Mr. Morganti concerning the garage and the parking.

Councilman Sinclair commented on the garage in question now being used by the Memorial business for the sandblasting, etc.. Mr. Morganti responded that Mr. Beale is planning on building a garage at the site of the Crematorium and that His (Mr. Morganti's) use of the garage for washing cars, changing tires, etc. is down the road a ways, as he can't use it as a service garage until the Memorial business moves out and he can't move the Memorial business out in a week.

Someone questioned the operation of the Fruit stand and Mr. DeStaffan replied that the Produce business is no longer ther-

Mr. Morganti informed the Board that Mr. Blondell's sister (known as the Pumpkin Lady) has sold pumpkins at that corner for years and he has continued to let that be a courtesy situation. Nothing has really changed at that location, Mr. Morganti said, other than the fact that he has the Gun Shop where the Grocery and pro-

PUBLIC HEARING (MORGANTI) CONT'D

duce stand was located.

Mr. & Mrs. DeNering both remarked about the traffic being worse now - there were no great numbers of cars prior to this time. Mr. DeStaffan responded to those remarks by stating that the parking on the East side will be eliminated, it is a hazard that will come to a screeching halt. The cooperation of the Town Board and Mr. Morganti will correct that matter and Mr. Morganti again stated he will put up signs if necessary.

Supervisor Aplin questioned the number of cars which would be parked, for example, how many in a certain period of time. This led to a lengthy discussion on the parking of cars - on the road, off the road, customer parking, parking off the road in the grass or in the field, parking on both sides of the road. This discussion continued with Mr. Aplin questioning how the traffic situation or parking can be alleviated, and with Mr. Morganti responding that the cul-de-sac down in front of the Blondell property has been opened up, the tenants in the Mobile Home Park have been asked to park in the driveway behind the trailers and Railroad ties have been placed back from the road so cars can park and still be off the road. Mr. Aplin, Mr. DeStaffan and Mr. Morganti continued to discuss the property involved for parking. A discussion between Mr. DeNering and Mr. Morganti was inaudible at the Conference table.

Mr. Aplin asked if anyone else had any questions.

Councilman Sinclair questioned the credibility of the map submitted with the application and Mr. DeStaffan related this question to Mr. Morganti. This question led to a discussion concerning Mr. Morganti's property and State Canal lands which are located between Route 31 and the porperty owned by Mr. Morganti. Mr. Morganti, along with Mr. DeStaffan, advised the Board that purchase of that Canal property is in process. Mr. Morganti indicated that he has a letter of committment from the State but has not been informed of the price as yet. Mr. DeStaffan spoke of the need for a realistic Plot Plan showing property annexed from the State to the front (Route 31) of the present property.

Mr. Sinclair directed some conversation to the DeNerings in regard to their concern about safety along the road and Mr. Morganti stated that he could put the cars in front temporarily.

Mr. Sinclair then directed a question to Mr. Roney, Zoning Enforcement Officer - "What can Mario do and not do at this time?" Mr. Roney responded by stating that, technically, he has a tentative right to operate a Mobile Home Park, although there are some conditions still to be met before the Annual Permit can be renewed. There are 2 rental houses (pre-existing) and the Town granted a Variance to operate the Gun Shop - those are the things he can do. He now has cars there but has never had a Variance granted to allow him to park them there - technically, the cars are parked there illegally. Mr. Roney stated that Town Attorney Rubery could better evaluate what can and cannot be done.

At this time, discussion centered upon the businesses Mr. Morganti now operates, some legally - some not. Mr. DeStaffan advised Mr. Morganti that technically at this point in time he has no right to carry on the car business, that cessation of that would assist him and just to go on with his businesses in an orderly fashion while waiting for a Plot Plan documentation of that purchase of that blue line area (State lands). The discussion in regard to the businesses continued with Supervisor Aplin and Councilman Cook referring to the businesses there at present, includ the Produce and pumpkin business, as well as the Memorial business. Mr. Morganti stated that the Memorial business is there on a month to month basis and indicated that, if the Variance is granted, the Memorial business will move out of the garage.

Councilman Cook, referring to the Mobile Home Park, stated that the Town issues Annual Permits for the operation of Mobile Home Parks in the Town of Palmyra and the Permit for Mr. Morganti's Park is still pending due to some conditions not in compliance (the permits run from 1/1 to 12/31). Mr Roney addressed the Park problem for the Board's information. Both Mr. Cook and Mr. Roney referred to a letter which was sent to Mr. Morganti concerning his Permit for the Mobile Home Park. Mr. DeStaffan also entered into the discussion concerning the Park and stated that he thought he understood what transpired in that area and understood the conditions to be corrected at the Mobile Home Park to satisfy the requests of the Board before the Annual Permit can be granted for 1982. PUBLIC HEARING (MORGANTI) CONT'D

Councilman Sinclair commented on Mr. Morganti asking to extend his business when, actually, there are many points to be satisfied before the Town can proceed with the application.

A communication stating objections to Mr. Morganti's request from Albert Ryckbost of Hanley Road was read by the Clerk.

Councilman Lyon spoke about the fact that Mr. Morganti is now selling cars without permission and Mr. DeStaffan replied that the cars will be removed immediately.

Supervisor Aplin asked if there was anyone else who wished to speak in favor of or against this request. Hearing no response, the hearing was closed at 9:03 P.M.. HEARING CLOSED

The regular meeting of the Town Board of the Town of Palmyra scheduled for Thursday, July 22, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin at 9:05 P.M.. REGULAR MTG. OPENED

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

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

Following a review of the minutes submitted for approval, a motion was made by Edwin Wheeler, seconded by Donald Sinclair to approve as submitted the minutes of the June 24th Town Board meeting. Motion passed with 5 ayes. MOTION TO APPR. MIN. OF 6/24

Communications - COMMUNICATIONS

1. Notice from Paul Productions re: re-location of business
2. Letter to James DeBrine from Wayne County Highway Department re: request for Intersection signs check
3. Letter to Supervisor Aplin from the Village of Palmyra re: Village Hall Courtroom facilities
4. Letter from NYS Department of Transportation re: Lower Speed Limit on Stafford Road.

The Clerk was directed to send a copy of Communication # 4 to Mrs. Palmeter, one of the neighborhood representatives on the request for a Speed Limit on Stafford Road.

Mr. Charles Richardson inquired about an official communication from the PEDC to the Town Supervisor of the Town of Palmyra and asked if it could be read into the record. Mr. Aplin replied that it was listed under the Economic Development Committee and would be discussed at that time.

Prior to the review of Vouchers submitted for payment, the following Resolution was offered.

Motion number: 1982 - 0062 Date: July 22, 1982 MOTION NO. 1982-0062

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Transfer of Funds (Justices) TRANS. OF FUNDS

WHEREAS, there is insufficient funds in the Justices Contractual Expenses Acct.

MOTION NO. 1982-0062 CONT'D

No. A 1110.4 and there are Vouchers submitted in the amount of $84.96 to be charged to the Justices Account, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of $84.96 from the Justices - Personal Services to the Justices - Contractual Expenses.

Prior to voting on the Resolution, the Board discussed the required schooling (continuing education) for Town Justices. Town Attorney Rubery was asked to review the Vouchers submitted and comment on schooling for Town Justices. Councilman Lyon stated that the only point he wished to make was that in referring to any account when there is no unencumbered balance, the principle involved would be to ask the Board prior to attendance where the monies can come from. Donald Sinclair suggested that the Supervisor meet with both Justices to discuss their accounts. Following further discussion, the motion was passed with 4 ayes - David Lyon not voting.

MOTION TO PAY BILLS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Nelson Cook, seconded by Edwin Wheeler to approve payment of Vouchers as shown on Abstract # 6B and # 7. Motion passed with 5 ayes. The Vouchers were listed by Funds as follows:

ABSTR. #6B

Abstract # 6B -

GENERAL FUND	Vouchers # 212-214	$7719.16
PART TOWN FUND	" # 43- 44	157.11
HIGHWAY ITEM I	" # 19- 20	489.44
HIGHWAY ITEM IV	" # 37	10.21
NORTH WATER DISTRICT	" # 23- 24	57.88
SOUTH WATER DISTRICT	" # 24- 25	28.01
EAST WATER DISTRICT	" # 25- 26	7.47
TOTAL		$8469.28

ABSTR. #7

Abstract # 7 -

GENERAL FUND	Vouchers # 215-239	$ 2194.95
PART TOWN FUND	" # 45- 49	263.94
FEDERAL REVENUE SHARING	" # 11	1000.00
HIGHWAY ITEM I	" # 21- 27	17666.30
HIGHWAY ITEM III	" #119-130	870.56
NORTH WATER DISTRICT	" # 25	21.82
EAST WATER DISTRICT	" # 27	10.93
TOTAL		$22028.50

REPORTS OF STANDING COMM.

Reports of Standing Committees -

Councilman Nelson Cook addressed the Supervisor at this time and reminded him that James Foley had requested a time to speak to the Board and had been given a tentative time of 9:00 P.M.. Considering the amount of business to be transacted under Mr. Cook's Committee and the number of people involved who were waiting, a motion was offered by Edwin Wheeler, seconded by Donald Sinclair to waive the reports of the Highway, Water, Landfill and Cemeteries Committees until later in the meeting and to move directly to the business under the Assessment, Planning & Zoning Committee. Motion passed with 5 ayes.

MOTION TO MOVE DIRECTLY TO ZON. ITEMS

ASSESS., PL. & ZON. COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Gordon Wheeler matter (Violation of Mobile Home Ordinance)

GORDON WHEELER MATTER

James Foley, representing Mr. & Mrs. Gordon Wheeler, approached the Board and spoke in regard to Application #81-166, filed last year, which made a request to allow the placement of a second trailer on property on Garnsey Road - property is assessed to the estate of George Gilfus. Mr. Foley stated that Mr. Wheeler came before the Board about a year ago, the matter was tabled and the Board neither approved nor denied the request to place a second trailer on the property. Mr. Foley said that the Wheelers are requesting to continue what has gone on as in the past 25 years. There are two septic systems and two trailers have been on the property.

This matter has been before Judge Hunt but he referred it to the Town Board for the clarification of some points. The Board discussed this request at length, citing their concerns and Mr. Roney's concerns. Mr. Roney filled in the background on Mr. Wheeler's present application and informed the Board of an application of March 1980 which allowed the replacement of the first trailer. The discussion continued with Mr. Wheeler explaining how he happened to be on property owned by the estate of George Gilfus. He stated that he does pay the taxes. Mr. Foley informed the Board that the estate is not resolved. This point was discussed at length and Town Attorney Rubery was requested to address this problem. Mr. Rubery advised the Board that, in effect, the Wheelers are squatters on the property and have no right to be there until they have some legal disposition. Mr. Roney advised the Board that the George Gilfus trailer which was not removed when the first replacement trailer was approved, was being used last summer by the Wheelers for something. The Board generally concurred that they couldn't act until the Wheelers owned the property. Mr. Foley indicated that the problem seems to be with getting the estate resolved. Mr. Rubery stated that the situation would be resolved and that, basically, as far as the Town is concerned, the Wheelers can't move trailers, remove trailers or replace trailers until legal right is established. Mr. Rubery suggested that the Board allow 60 days for the legal matters to be straightened out.

GORDON WHEELER MATTER CONT'D

The following Resolution was offered:

Motion number: 1982-0063 July 22, 1982

Motion by: Donald Sinclair, seconded by Nelson Cook

Title: Decision on the Wheeler matter

MOTION NO. 1982-0063

DECISION RE: WHEELER MATTER

Resolved, that the Town Board of the Town of Palmyra grant Mr. Gordon Wheeler 60 days in which to clean up the title to the property on Garnsey Road now assessed to the estate of George Gilfus, and

Be It Further Resolved, that the Town Board table the application for the second trailer for 60 days and if the title is not cleared up, the matter will go back to Court.

Motion passed with 5 ayes.

2. Application of Bernadine Hutter to use a Camper as a temporary residence.

APPLICATION OF B. HUTTER TO USE A CAMPER AS A TEMP. RESID

Mrs. Hutter informed the Board that she has relatives visiting from Penna. for the summer. They have been with her since May and expect to stay until the end of August or longer if she finds that she will be hospitalized. She understood that a neighbor had complained but she stated that the camper was a self-contained unit and was creating no harm to anyone.

Mr. Roney referred to the Mobile Home Ordinance which indicates that Mobile Homes cannot be placed on any property except in Mobile Home Parks - and, a Camper when it is used as a residence, comes under the same category as a Mobile Home.

The Board members questioned Mrs. Hutter in regard to (1) the relatives who are visiting her and/or assisting her, (2) the amount of space she has in her house (14 rooms/upstairs apartment) and (3) the pending hospitalization.

Mr. William DeSeyn, a property owner across the road from Mr. Hutter, stated that the Camper has been located on Mr. Hutter's property since May and that he strongly objects to the Camper being there. He also stated that, if Mrs. Hutter is allowed to have a Camper which is used as a residence, then he will put one on his property. Mr. DeSeyn also indicated that people stop and question him concerning the trailer being there.

Councilman Sinclair referred to the length of stay being called a visit and felt that the Town is being taken advantage of.

Mrs. Hutter wondered why there was a problem with the camper at her place

HUTTER APPLICATION CONT'D

Supervisor Aplin spoke of the fact that the Town would be setting a precedent if Mrs. Hutter is allowed to have the camper on her property as a temporary residence and Councilman Cook referred to the Mobile Home Ordinance which allows a temporary residence for 60 days under specific conditions. Mr. Roney informed the Board that 2 citations (1) for violation of the Mobile Home Ordinance and (2) for violation of the Zoning Ordinance were issued to Mrs. Hutter and the 10 days expired July 19th. The citations are now pending Board action following Mrs. Hutter's appearance at this meeting.

Mr. Rubery advised the Board that their action would be to approve or deny the application. Councilman Lyon requested Mr. Roney to review the Violations and following further discussion, a Resolution was offered for the Board's consideration.

MOTION NO. 1982-0064

HUTTER APPLICATION

Motion number: 1982 - 0064 Date: July 22, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Board action on Application of Bernadine Hutter for use of Camper as a Temporary Residence

Resolved, that the Town Board of the Town of Palmyra deny the Application of Bernadine Hutter for use of a Camper as a temporary residence on her property on Route 21 N., and

Be It Further Resolved, that the Town Board will allow Mrs. Hutter 15 days to execute the denial, to cease using the camper, to disconnect it from all utility services and to either have the unit in a state of storage or removed from her property. Storage will require that the unit be located not closer to the road than the rear of the house.

During the discussion which followed, Mr. Sinclair spoke to Mrs. Hutter and advised her in order to avoid any hardship, she should have these people close the trailer and move into the house to accomodate her for the time she will be involved with her illness.

Mrs. Hutter thanked the Board for their understanding and for being so very accomodating. She also said that she hoped someday the Board will have trailers all over the place.

Motion passed with 5 ayes.

WM. CARROLL APPLICATION

3. William Carroll Application - Request for Replacement of a Mobile Home

Town Attorney Paul Rubery addressed the Board in regard to this application, the decision on which was tabled until an exact size of Mobile Home was known.

MOTION TO BRING APPLIC. BACK ON TABLE

A motion was made by Edwin Wheeler, seconded by Donald Sinclair to bring the Carroll Application back on the table for discussion and Board action.

Motion passed with 5 ayes.

A Purchase Offer for Mr. Carroll's property has been executed and that offer states that a 12' x 65' Mobile Home would replace the original 8' x 35' Mobile Home now on the property. Mr. Roney informed the Board that a septic system was installed 22 years ago when the original trailer was placed on the property and a check of that system should be done to be sure it's adequate for the replacement trailer. Following further discussion, a Resolution was offered for the Board's consideration.

MOTION NO. 1982-0065

DEC. ON CARROLL APPLICA.

Motion number: 1982 - 0065 Date: July 22, 1982

Motion by: Donald Sincl , seconded by Nelson Cook

Title: Board decision on Wm. Carroll Application for replacement of Mobile Home

RESOLVED, that the Town Board of the Town of Palmyra approve the application of William Carroll for a Variance for a change of mobile home size under Article 13, Section 1300 of the Mobile Home Ordinance of the Town of Palmyra contingent upon the recommendations of the Planning Board which are as follows: MOTION NO. 1982-0065 CONT'D

1. The property will be inspected by a civil engineer to determine if the septic system is adequate to handle waste for a 2 bedroom residence

2. Occupancy of the replacement unit cannot be made until the Building Inspector issues a Certificate of Occupancy

BE IT FURTHER RESOLVED, that the present mobile home will be removed from the property, that the size of the replacement mobile home will be 12' x 65' and placed on the same site so it does not violate Zoning or the Mobile Home Ordinance. Any change in the mobile home will be subject to the further order of this Board.

Motion passed with 4 ayes - David Lyon abstained.

(4) Application of Garry Sperrick for location of a Mobile Home while building a house APPLIC. OF G. SPERRICK

Garry Sperrick, 1199 Canandaigua Road, Palmyra, New York came before the Board to request permission to place a Mobile Home on property which he has purchased on Floodman Road. The Mobile Home will be used as a temporary residence while he constructs a house. The Board, along with the Town Attorney and Zoning Officer/Building Inspector discussed at length this request with Mr. Sperrick. They covered many points, such as, (1) the Building Permit and plans for the house which Mr. Sperrick intends to build (2) the length of time involved in building the house (3) Financial committment (4) the Rules and Regulations of both the Mobile Home Ordinance and the Zoning Ordinance which the Board intends to fully enforce. Both Mr. Rubery and Mr. Roney explained various points of these Ordinances. The Board agreed with Mr. Roney that the plans for the house must comply with the Building, Construction, Fire and Energy Codes. Mr. Roney also suggested that a schedule of work to be completed be incorporated into the Resolution to be acted on by the Board. Mr. Rubery stressed the importance of Mr. Sperrick's full understanding in regard to the permitsfor the Mobile Home and the building being issued for a six (6) months period with a possible six (6) month extension. The following Resolution was offered for the Board's consideration.

Motion number: 1982 - 0066 Date: July 22, 1982 MOTION NO. 1982-0066

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Board decision on request of Garry Sperrick for location of Mobile Home on Floodman Road while constructing a house G.SPERRICK REQUEST FOR M.HOME AS A TEMP. RESIDENCE

BE IT RESOLVED, that the Town Board of the Town of Palmyra grant a permit to Garry Sperrick to use a Mobile Home as a temporary residence while constructing a house on property on Floodman Road with the following conditions:

(a) that the proposed structure will comply with all New York State Construction, Fire, Building and Energy Codes and a Building Permit will be issued prior to the granting of the permit for moving the Mobile Home on the lot

(b) that the septic system and well system will be installed prior to the moving of the Mobile Home on the lot

(c) that Mr. Sperrick will comply with all regulations of the Mobile Home Ordinance for Temporary residence

(d) that the Mobile Home must be set on the lot so that it complies with the Town of Palmyra Zoning Ordinance

(e) Mr. Sperrick will acknowledge that the Building permit will be initially issued for six (6) months and may be only renewed for an additional six (6) months, and, Mr. Sperrick must agree in writing that he will complete in one (1) year the following factors:

1. the foundation, 2. enclose the entire house, 3. doors and windows in place, 4. roof will be on, 5. rough in the structure

(f) Mr. Sperrick must sign an agreement with the Building Inspector to demonstrate substanial progress

BE IT FURTHER RESOLVED, that Mr. Sperrick must agree that he understands, if he has not made the progress as stated, that the Town Board will proceed to take the necessary steps to remove the Mobile home from the property and that he will be subject to penalties as set down in the Town of Palmyra Mobile Home Ordinance and Zoning Ordinance.

Motion passed with 5 ayes.

CONTR. W/ NY BD. OF FIRE UNDER-WRITERS

(5) Electrical Inspection Contract with the New York Board of Fire Underwriters

Mr. Cook reported that he is still waiting for a reply in regard to this matter.

HERSHEY-HILL-DIV. ST.

(6) Hershey-Hill Division Street, Sand & Gravel Site

Mr. Cook reported that the Town Attorney, Paul Rubery, has disqualified himself in regard to negotiations on this matter. This item of business will be taken up during an Executive session later in the meeting.

E. SHEILS AGREEMENT

(7) Eugene Sheils - Building Permits #75-373 and #81-203

Mr. Cook requested Judson Roney, Building Inspector to review an agreement between the Town of Palmyra and Mr. Sheils. Copies were given to the Board members prior to the meeting. Following discussion on this agreement - Status of Construction, a Resolution was offered.

MOTION NO. 1982-0067

SHEILS AGREEMENT

Motion number: 1982 - 0067 Date: July 22, 1982

Motion by: Donald Sinclair, seconded by Nelson Cook

Title: Agreement with Eugene Sheils (Status of Construction)

RESOLVED, that the Town Board of the Town of Palmyra accept the agreement with Eugene Sheils as presented by Judson Roney, Building Inspector. The agreement is on file with the Building Permits.

Motion passed with 5 ayes.

MORGANTI APPLICA. TABLED

(8) Application of Mario Morganti - subject of the Public Hearing at 8P.M.

A motion was made by Nelson Cook, seconded by David Lyon to table the decision on the application of Mario Morganti. Motion passed with 5 ayes.

COMPENSATION BD. OF ASSESS REVIEW

(9) Compensation for members of the Board of Assessment Review

Mr. Cook read a communication from Judson Roney concerning the number of hours worked by members of the Board of Assessment Review. The letter also contained the recommendation that the Chairman of the Board receive $50 and each of the other Board members receive $30. Mr. Roney indicated that there were monies in his Budget to cover this expenditure. A motion was made by Nelson Cook, seconded by Edwin Wheeler to approve the recommendations of Assessor Judson Roney and authorize payment of $50 for the Chairman and $30 for each of the other Board of Assessment Review members. Motion passed with 5 ayes.

MOTION TO APPR. REC.

VACATION ZONE. OFFICER/ BLDG. INSP.

(10) Vacation - Assessor, Zoning Officer/Building Inspector

Mr. Cook informed the Board that he had been advised by Mr. Roney that he would be on vacation the weeks of July 26th - 30th and August 15th - 21st. Mr. Roney has made arrangements, if the Board approves, for Francis Toole, former Zoning Officer/Building Inspector, to do any inspections that may be necessary while he is on vacation. A motion was made by Donald Sinclair, seconded by Nelson Cook to approve the replacement recommendation of Mr. Roney for a substitute Building Inspector, namely, Francis Toole who will do this service for a fee of $10 per inspection plus mileage. During discussion, Mr. Aplin questioned the number of inspections which Mr. Roney expected to have to be done while he is on vacation. Motion passed with 5 ayes.

MOTION TO APPR. REC. & AUTHOR. F. TOOLE AS BLDG. INSP.

Two other items under Mr. Cook's Committee were referred to the Executive session to be held later in the meeting.

HIGHWAYCOMM.

Highway Committee - Edwin Wheeler, Chairman

POSTING OF GALLOWAY RD. BRIDGE

(1) Posting of Galloway Road Bridge - Weight Limit

Mr. Wheeler reported that the bridge is now posted for 11 ton - weight limit and a memorandum dated June 7, 1982 from W. H. Ketchum, Region 3, Department of Transportation to Jon Edinger, Resident Engineer for Wayne County, states that the safe weight (posting) is 11 tons. Mr. Rubery spoke to the Board in regard to the posting and advised that the memo concerns the thru truss over the Barge Canal (span 1) and the pony truss over the abandoned West Shore

Railroad (span 5). No further action was taken at this time.

Supervisor Aplin advised the Board that the Resolution #82-0059 of June 24th concerning the request for re-opening of Harrison's Mill Bridge was submitted Tuesday to the County Board of Supervisors and was put into Committee.

(2) Request to declare Highway Equipment Surplus

REQUEST TO DECL. HWY EQUIP. SURPLUS

A motion was made by Edwin Wheeler, seconded by David Lyon to declare as surplus - Highway Equipment, 1962 International Truck # 69 - Chassis only. Motion passed with 5 ayes.

(3) Highway Superintendent's Request for Intersection sign check (Communication # 2)

INTERSECT. SIGN CHANGE

The following Resolution was submitted for the Board's consideration.

MOTION NO. 1982-0068 AUTHORIZATION FOR INTERSECT. SIGN CHANGES

Motion number - 1982 - 0068 Date: July 22, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Authorization for Intersection Sign Change

RESOLVED, that the Town Board of the Town of Palmyra grant authorization to the Town Highway Superintendent to make the intersection sign changes as outlined in the letter of June 28, 1982 to James DeBrine, Town Highway Superintendent from Richard Vanderlinde, Wayne County Highway Superintendent with the addition of the Lusk Road and Harris Road intersection, and

BE IT FURTHER RESOLVED, that designation of Stop signs is as follows:

On Lusk Road (2 signs) at intersection of Shilling and Lusk Roads
On Goldsmith Road (2 signs) at intersection of Shilling and Goldsmith Roads
On DeSmith Road (2 signs) at intersection of Shilling and DeSmith Roads
On LeRoy Road (1 sign) at intersection of Parker and LeRoy Roads
On Palmer Road at intersection of East Palmyra-Port Gibson and Palmer Roads
On Dey Road at intersection of Cambier and Dey Roads
On Cole Road at intersection of Parker and Cole Roads
On Lusk Road at intersection of Lusk and Harris Roads

Motion passed with 5 ayes.

Water Committee - David Lyon, Chairman — WATER COMM.

(1) Master Meter Vault - Division Street — M.M. VAULT DIV. ST.

Mr. Lyon reported ~~////~~ on the progress so far in regard to the location of a possible cross-connection and stated that he had expected to have a report from Water District Superintendent Harold Kruger for this meeting but he had not received it as yet.

(2) Proposed Extension to East Water District - Pulcini Trailer Park

PROP. EXT. EAST WATER DIST. - PULCINI TRL. PARK

Mr. Lyon reported that this request has been referred to the Town Engineer and Town Attorney for recommendations. Both are studying this request - the Town Attorney has made some recommendations and he will relay that information on. There was nothing which required Board action at this time.

Landfill Committee - Donald Sinclair, Chairman — LANDFILL COMM.

Mr. Sinclair reported that everything is going smoothly at the Landfill.

Cemeteries Committee - Donald Sinclair, Chairman — CEMETERIES COMM.

Mr. Sinclair reported that the matter to be resolved concerning Mr. Molner and Swift's Cemetery has been referred to the Town Attorney.

Mr. Sinclair also reported that a tree has been taken down at the East Palmyra Cemetery and local people are clearing up the site.

Economic Development Committee - Roy Aplin, Chairman — ECONOMIC DEV COMMITTEE

PEDC MTG 6/30 PIC PROPOSAL

Supervisor Aplin requested the Clerk to read a letter of July 21, 1982 to Charles Richardson, President of the PEDC, from Mr. Aplin concerning the PEDC Meeting of June 30, 1982 and the Private Industry Council Proposal. The PIC proposal, for the promotion of a brochure by the PEDC, was reviewed by Supervisor Aplin. The PEDC has requested an additional $1000 from the Town of Palmyra to assist in putting out the brochure (portfolio with inserts) to promote Industrial growth within the Village and Town of Palmyra. Mr. Richardson asked to

PEDC & PIC PROP. CONT'D

speak to the Board as a private citizen and not as the President of the PEDC, because he recently requested a 6 months leave of absence from the office of President of the PEDC. He reported on a meeting where the PEDC first heard of the Private Industry Councilaand learned what that group could do for the PEDC and the Palmyra area. Discussion continued with questions from the Board in regard to the PEDC Budget and the money which has been allocated in the Town of Palmyra Budget for the PEDC. No action was taken at this time.

Town Building Committee - David Lyon, Chairman

TN. BLDG. COMM. MTG. 8/5

Mr. Lyon discussed with the Board the need for a meeting of the Building Committee and it was agreed that a meeting will be held Thursday, August 5th at 8:00 P.M. in the Town Office.

Other Business -

OTHER BUSINESS

(1) Cablevision

CABLEVISION

Town Attorney Paul Rubery reported to the Board on the Resolution which Cablevision Industries, Inc. has requested the Town of Palmyra to adopt due to the fact that the Public Service Commission has requested Cablevision Industries, Inc. to consolidate their companies. Mr. Rubery stated that he has talked with Merril Gray, the Resolution has been sent but the Board can take no action at this time. A motion was made by David Lyon, seconded by Donald Sinclair to table the matter of the Resolution for Cablevision Industries, Inc. Motion passed with 5 ayes.

MOTION TO TABLE RESOL.

(2) Village Hall Courtroom Facilities

VILLAGE HALL COURTROOM FACILITIES

The Board discussed the offer of the Village of Palmyra (letter of June 29, 1982) for the Town's use of the Village Hall Courtroom and Supervisor Aplin brought to the Board's attention a letter sent to Town Justice Hunt by the Village, allowing the use of the Village facilities at the Park & Club Rooms thru August 1st. The following Resolution was offered for the Board's consideration.

MOTION NO. 1982-0069

Motion number: 1982 - 0069 Date: July 22, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Authorization for Supervisor to draft letter to the Village Board/Mayor re: Courtroom Facilities

AUTHOR. FOR SUPER. TO SEND LETTER

RESOLVED, that the Town Board of the Town of Palmyra authorize the Supervisor to draft a letter to the Village Board/Mayor requesting that the Town be allowed to continue to use the Park & Club Rooms for Town Justice Court on a month to month basis at the existing rate (presently paid annually) until more permanent facilities are found or a proper lease arrangement is negotiated between the Village and the Town.

Motion passed with 5 ayes.

(3) Division of Youth - Application for State Aid

DIV. OF YOUTH - STATE AID

A motion was made by Nelson Cook, seconded by Edwin Wheeler to authorize the Supervisor to sign the Resolution - Division of Youth - State Aid. Motion passed with 5 ayes.

(4) Canaltown Days Parade

CANALTOWN DAYS PARADE

Supervisor Aplin spoke to the Board members concerning the Canaltown Days Parade to be held on September 18th. The Parade Committee is interested in knowing how many Board members will be riding in the Parade. Anyone interested should plan to be at the High School at 4 P.M. on September 18th.

(5) Election Distric' # I - Polling Place

ELECTION DIST. # I - POLLING PLACE

Supervisor Aplin reported for the record and the Press that the Polling Place for Election District # I will be the St. Anne's School located at the corner of Canandaigua Street and West Jackson Street.

(6) Discussion re: Justice Forms

DISC. RE: JUSTICE FORMS

Supervisor Aplin informed the Board that Town Justice Hunt had requested him to alert the Board of the need for Forms. During the brief discussion which followed, Councilman Lyon requested that in the future Mr. Hunt contact the Town Attorney prior to ordering Forms.

MOTION TO HOLD EXEC. SESSION

A motion was made by Nelson Cook to go into Executive session to discuss possible litigation matters concerning Brion Havert, New York Telephone Tax Settlement and Hershey-Hill, Division Street Sand & Gravel site. The motion was seconded by Edwin Wheeler and passed with 5 ayes.

MOTION TO RETURN TO REG. MTG.

The motion to return to the regular meeting was made by Nelson Cook, seconded by Donald Sinclair and passed with 5 ayes.

The following Resolutions were presented for the Board's consideration.

MOTION NO. 1982-0070

BRION HAVERT LITIGATION

Motion number: 1982 - 0070 Date: July 22, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Litigation of Brion Havert Violation - Mobile Home Unit

WHEREAS, Brion Havert has had a Mobile Home Unit located on his property at 895 Canandaigua Road since the middle of March 1982, and

WHEREAS, the Town Board, at their meeting of 8 April 1982 accepted Mr. Cook's suggestion that Mr. Havert be granted the four to five weeks Mr. Havert asked for as time in which to repair the Mobile Unit, and

WHEREAS, the Unit is still in place after fifteen weeks since the April 8 meeting of the Board,

NOW THEREFORE BE IT RESOLVED, that the Town Attorney be instructed to proceed with such legal action as is necessary to compel Mr. Havert to remove the Unit from the property.

Motion passed with 5 ayes.

MOTION NO. 1982-0071

TAX SETTLEMENT W/ N.Y. TEL.

Motion number: 1982 - 0071 Date: July 22, 1982

Motion by: Donald Sinclair, seconded by David Lyon

Title: Tax Settlement between the Town of Palmyra and New York Telephone

BE IT RESOLVED, that the Town of Palmyra is hereby authorized to settle the Article 7 cases with the New York Telephone Company upon the following conditions:

(a) that the settlement for all years previous to 1981 and 1981 shall cause a refund of taxes previously paid from all sources ~~not to exceed $7~~ $829.20, and

(b) BE IT FURTHER RESOLVED, that the application for the refund will be processed thru the normal channels and will be submitted to the County of Wayne and the Palmyra Macedon Central School District, and

(c) BE IT FURTHER RESOLVED, that this settlement is conditioned upon the approval of the Supreme Court Justice, and

(d) BE IT FURTHER RESOLVED, that this settlement is conditioned upon the approval by the Assessor of the formula for the Assessment of all Section 470 New York Telephone Company property from the year 1982 forward, and

(e) BE IT FURTHER RESOLVED, that this is conditioned upon the representation of Town's counsel, that total fees now due will not exceed $412.00, and

(f) BE IT FURTHER RESOLVED, that the future Assessments will be based on the following formula:

> The formula for the assessment of Section 470 property of the New York Telephone Company be computed by dividing the 1974 assessment of 470 property by the 1974 equalization rate of .90 and adding 15 percent to the results and then multiplying the result by the current annual equalization rate for determination of the annual assessment. This procedure, using $371,700.00 as a base in 1974 would result in a 1982 assessment of $476,680.22

Motion passed with 5 ayes.

Resolution concerning Hershey-Hill Division Street - Sand & Gravel site

MOTION NO. 1982-0072

COUNSEL FOR HERSHEY-HILL MATTER

Motion number: 1982 - 0072 Date: July 22, 1982

Motion by: David Lyon, seconded by Edwin Wheeler

Title: Approval to obtain outside counsel for Hershey-Hill Matter

WHEREAS, Town Attorney Paul Rubery has disqualified himself in the matter concerning Hershey-Hill Division Street - Sand & Gravel site,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra will retain outside counsel for the Hershey-Hill Division Street matter.

Motion passed with 5 ayes.

MOTION TO ADJOURN

At 12:55 A.M., a motion to adjourn this meeting was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes.

Respectfully submitted,

Stebbings

Special Meeting

August 5, 1982

MOTION TO HOLD SPEC. MEETING

The Town Building Committee held a meeting on Thursday, August 5, 1982 in the Town Office - all Town Board members were present. Following the Committee meeting, the motion to hold an Emergency Special Meeting was made by David Lyon, seconded by Nelson Cook and passed with the approval of all members.

The Special Meeting was called to act on the following Resolutions:

MOTION NO. 1982-0073

GALLOWAY BRIDGE

Motion number: 1982 - 0073 Date: August 5, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Galloway Road Bridge

WHEREAS, the Highway Committee of the Wayne County Board of Supervisors has indicated that it will recommend to the Board of Supervisors a plan for reconstruction of the Galloway Bridge, which involves a joint expenditure by the Town of Palmyra and the County of Wayne of $20,000.00; and
WHEREAS, the Town of Palmyra has been forced to acquire certain rights to the bridge structure and land beneath the same at a cost of approximately $2,000.00 from the Penn Central Railroad; and
WHEREAS, the Town Board of the Town of Palmyra feels that title to the bridge should be in the County of Wayne,
NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Palmyra requests that the County of Wayne share with the Town of Palmyra in all expenses concerning the acquisition of the site and bridge framework to date; and
BE IT FURTHER RESOLVED, the Town Board of the Town of Palmyra requests that the Town of Palmyra be permitted and requested to deed any interest which the Town of Palmyra may have in the bridge and site to the County of Wayne; and
BE IT FURTHER RESOLVED, that the Supervisor of the Town of Palmyra shall present this resolution at the earliest convenient meeting of the Board of Supervisors of the County of Wayne.

Motion passed with 5 ayes.

MOTION NO. 1982-0074

B. HUTTER COURT ACTION

Motion number: 1982 - 0074 Date: August 5, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Court Action - B. Hutter Matter

RESOLVED, that, if the Travel Trailer is not removed from the Hutter Property on Route 21 North by August 5, 1982 at midnight, the Building Inspector/Zoning Officer be authorized to contact the Attorney and bring proceedings to bring the property in compliance by removal of the existing Travel Trailer with appropriate Court Action.

Motion passed with 5 ayes.

MOTION NO. 1982-0075

SWIFT'S LANDING BRIDGE (HARRISON'S MILL)

Motion number: 1982 - 0075 Date: August 5, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Swift's Landing Bridge (Harrison's Mill)

WHEREAS, the Town Board of the Town of Palmyra has learned that the Highway Committee of the Wayne County Board of Supervisors will recommend to the Wayne County Board of Supervisors that the Swift's Landing Bridge (Harrison's Mill Bridge) on Hogback Hill Road in the Town of Palmyra not be replaced; and
WHEREAS, the Town Board of the Town of Palmyra, in response to a petition from residents of the Town of Palmyra and other residents of Wayne County, requested the repair of Swift's Landing Bridge and filed the petition with the Wayne County Board of Supervisors; and
WHEREAS, this bridge had a higher traffic count than many of the other bridges on Town Highways in the County of Wayne that have been repaired or replaced by the County of Wayne; and
WHEREAS, the Swift's Landing Bridge is one of the main access routes of the residents of the County of Wayne to Swift's Landing Park; and
WHEREAS, Swift's Landing Park has in the past had problems with security and after hours use; and
WHEREAS, Swift's Landing Park has a n[illegible]er of sites where emergencies could occur; and
WHEREAS, the failure to replace Swift's Lamding Bridge could create inumerable problems for law enforcement and emergency vehicles in the area; and
WHEREAS, there is only one access to Swift's Landing Park available to large emergency vehicles from the east; and
WHEREAS, the County of Wayne has indicated that staffing requirements already stretch the "road patrols" of the County Sheriff's Department.

NOW THEREFORE BE IT RESOLVED, that the Town of Palmyra hereby requests that Swift's Landing Park be closed until such time as Swift's Landing Bridge is repaired; and BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra requests the Supervisor of the Town of Palmyra to introduce a resolution at the next meeting of the Board of Supervisors of the County of Wayne asking that Swift's Landing Park be closed for the protection and safety of the residents of the County of Wayne; and

MOTION NO. 1982-0075 SWIFT'S LANDING BRIDGE

BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra does support and endorse such a resolution until such time as the safety and protection of the users of Swift's Landing Park may be adequately protected and access from the north be restored.

Motion passed with 5 ayes.

Motion number: 1982 - 0076 Date: August 5, 1982

MOTION NO. 1982-0076 CONTR. LDFL

Motion by: Donald Sinclair, seconded by Edwin Wheeler

Title: Sanitary Landfill - Contract for New Cell

RESOLVED, that the Town Board of the Town of Palmyra approve the Contract between the Town of Palmyra and Art Graf, Inc. and authorize the expenditure of funds not to exceed $5,000 for the excavation of a new cell (100' x 60' x 20') at the Sanitary Landfill on Garnsey Road in the Town of Palmyra.

Motion passed with the following vote:

Roy Aplin	Aye
Edwin Wheeler	Aye
Donald Sinclair	Aye
David Lyon	No
Nelson Cook	No

MOTION TO ADJOURN

The motion to adjourn this Special Meeting was made by Edwin Wheeler, seconded by Donald Sinclair and passed with 5 ayes.

Respectfully submitted,

Leroy R. Aplin, Supervisor

August 26, 1982

REG. MTG. OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled for 8:00 P.M. on Thursday, August 26, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin. Following a moment of silent prayer, those present were led by Supervisor Aplin in the Pledge of Allegiance to the Flag.

ROLL CALL

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

Others attending this meeting were: Town Attorney Paul Rubery, Assessor/Zoning Officer Judson Roney, Ann Guest, James and Hazel Washburn, Ronald and Valerie Loucks and Lin Andrukat of the Courier-Journal.

APPROVAL OF MIN. OF 7/22 & 8/5

Following a review of the minutes submitted for approval, a motion was made by Edwin Wheeler, seconded by Donald Sinclair to approve as submitted, the minutes of the regular meeting held on July 22nd and the minutes of the Special meeting held on August 5th. Motion passed with 5 ayes.

COMMUNICATIONS

Communications -

1. Letter to the Town Board from Town Justice Abbott in regard to Magistrate's School
2. Request of Betty Briggs to attend Seminar - referred to Zoning & Planning Committee
3. Invitation to attend "Open House" at the Palmyra Village Hall
4. Letter to R. Aplin from the Village of Palmyra in regard to Court Room facilities
5. Letters from J. DeBrine and R. Vanderlinde in regard to Intersection signs
6. Letter from J. DeBrine in regard to Proposed Morganti Sales Lot

Following a review of the Claims/Vouchers submitted for payment, the following motions were offered:

MOTION TO ADD GRAF VOUCHER TO ABSTR.#8

(1) A motion was made by Donald Sinclair, seconded by Edwin Wheeler to add the Voucher for Art Graf, Inc. (digging of cell at Landfill) to Abstract # 8. Motion passed with 5 ayes.

MOTION TO PAY BILLS W/DELETION

(2) A motion was made by Edwin Wheeler, seconded by David Lyon to approve payment of Claims/Vouchers as shown on Abstract # 7 A and Abstract # 8 with the deletion from Abstract # 8 of the Voucher for Harris, Beach, Wilcox, Rubin and Levey - Account Number A 1355.4 in the amount of $300. Motion passed with 5 ayes. The Vouchers were listed by Funds as follows:

ABSTRACT #7A

ABSTRACT # 7 A -

General Fund	Vouchers	# 240-242	$ 8804.41
Part Town Fund	"	# 50- 51	140.31
Highway Item I	"	# 28- 29	4230.55
North Water District	"	# 26- 27	57.88
South Water District	"	# 26- 28	48.52
East Water District	"	# 28- 29	7.47
Total			$13289.14

ABSTRACT # 8

ABSTRACT # 8 -

General Fund	Vouchers	# 243-273	$ 8793.01
Part Town Fund	"	# 52- 56	390.30
Federal Revenue Sharing	"	# 12	309.10
Highway Item I	"	# 30- 37	26989.53
Highway Item III	"	# 131-141	1088.01
North Water District	"	# 28- 31	4583.18
South Water District	"	# 29	1944.95
East Water District	"	# 30- 34	1145.41
Total			$45243.49

Reports of Standing Committees - REPORTS OF COMM.

Highway Committee - Edwin Wheeler, Chairman

(1) Intersection signs - Communications # 5 HWY. COMM.

Motion number: 1982 - 0077 Date: August 26, 1982 MOTION NO.

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Approval for Additional Stop Signs 1982-0077

Resolved, that the Town Board of the Town of Palmyra, following the recommendations of Town Highway Superintendent James DeBrine and Wayne County Highway Superintendent Richard Vanderlinde (Communications # 5), approve the installation of additional Stop Signs at the following Intersections: (1) On Walker Road at the intersection of Jeffery Road (2) On West Hogback Hill Road at the intersection of Galloway and Hogback Hill Road (3) On Hanagan Road at the intersection of Le-Roy Road. APPR. FOR ADD. SIGNS

Motion passed with 5 ayes.

(2) Proposed Morganti Sales Lot - Communication # 6 PROP. SALES LOT (MORGANTI)

This communication was referred to the Assessment, Planning & Zoning Committee.

(3) Bridges - Galloway Bridge, Swift's Landing Bridge (Harrison's Mill) and East Town Line Road Bridge BRIDGES

Town Councilman Edwin Wheeler indicated that he had nothing to report but referred this subject to Supervisor Aplin who reported that he had discussed the status of these bridges with David Lyon, a member of the Town's Highway Committee, and Town Attorney Paul Rubery. Mr. Aplin stated that, at the last Wayne County Board meeting, there was no action taken on the abandonment of Swift's Landing Bridge (Harrison's Mill) nor the abandonment of the bridge on East Town Line Road. The Supervisor informed the Board that Mrs. Rush and Mrs. Hartman who live in the area of Swift's Landing Bridge and who were petitioners in regard to the re-opening of that bridge, appeared at the meeting of the Board of Supervisors during the discussion on the decision of the abandonment or re-opening of this bridge. Mr. Aplin also stated that the County Attorney has been contacted for any legal decisions in regard to the County's responsibility in these areas. Mr. Aplin, referring to the Galloway Road Bridge project, indicated that he felt there have been efforts made at the County level to renege on the agreement between the Town and County and he also felt that Galloway Road Bridge will not be abandoned but will be repaired in time with cooperation of the Town and the County involving in-kind services and/or monies. Town Attorney Paul Rubery, referring to Swift's Landing Bridge, stated that a major factor with this bridge is that there are people who own land on both sides of the bridge and the County is responsible to either re-imburse the land-owners or to make the repairs in order to re-open the bridge. Further discussion followed on the Galloway Road Bridge with Mr. Rubery informing the Board that the Town Board is now waiting for a decision from the County on the Resolution presented concerning the bridge.

Water Committee - David Lyon, Chairman WATER COMM.

(1) Proposed Extension to East Water District (Pulcini)

Mr. Lyon reported on a meeting with the Town Engineer, Mr. Pulcini's engineer and the Town Attorney. He has also met with Mr. Pulcini to discuss the proposed extension. Mr. Lyon advised the Board that he does not have this matter resolved as yet but he did report to the Board that Mr. Pulcini proposed to install a 4" water line on his property from Route 31 to his Trailer Park on Trolley Road. The Town Water Committee proposed, with a cooperative effort between Mr. Pulcini and the Town, that a 6" or 8" line be installed from Route 31 to the Trailer Park plus the installation of 2 Fire Hydrants which would give the area further Fire Protection and a water line in place for possible future expansion of the Water District. Mr. Lyon indicated all parties are working vigorously but PROPOSED EXTENSION TO E. WATER DISTRICT there is no conclusion at this time. This matter was discussed at length by the Board.

LANDFILL COMM.

Landfill Committee- Donald Sinclair, Chairman

DISC. RE: FEE RAISE COMM. HAULERS

Mr. Sinclair reported that the Landfill is doing fine, the new cell has been dug and is being used. He asked the Board to consider raising the fees for Compactors only. Mr. Lyon suggested that the Landfill Committee talk with the Commercial Haulers and report back to the Board. Mr. Aplin brought out the fact that one Commercial Hauler is confined to the Palmyra area as compared to another Hauler who works several areas. He also reported that he has reviewed last year's usage with this year's usage so far and has found that there seems to be an over-all increase in regard to the Compactors yardage. Discussion followed.

CEMETERIES COMM.

Cemeteries Committee - Donald Sinclair, Chairman

SWIFT'S CEMETERY

DISC. W/ ANN GUEST

Mr. Sinclair stated that he had nothing to report but referred to Ann Guest's name on the agenda under this committee. At this time, Ann Guest who had requested time to speak to the Board, appeared before the Board and brought two (2) large bags of trash to emphasize the problem regarding Swift's Cemetery which she wished to discuss. Prior to speaking to the Board concerning the Cemetery, Mrs. Guest reminded the Board that about 10 years ago she came before the Board seeking some assistance in solving a problem concerning the Veterans' Plot at the Palmyra Cemetery and indicated that she hoped this Board could again help solve a problem - this time with Swift's Cemetery. She informed the Board that, on July 25th she had been in the area of the Methodist Church on some Scout business (she is Scout Coordinator for Troop # 95 of the Methodist Church) and was approached by some out-of-state residents who were seeking information on Swift's Cemetery. She went to the Cemetery with these visitors and found the Cemetery to be a disgrace to our Community, especially with the number of visitors expected during the time of the Mormon Pageant. On that same day, when more visitors came to the area, she and the visitors spent time clearing the Cemetery of the litter and she has since been clearing it regularly. Mrs. Guest informed the Board that she, as a concerned citizen of Palmyra, would like to see something done to correct the problem of the litter in this Cemetery which is a part of Palmyra's heritage. Mr. Sinclair responded that the total Budget for all the Town Cemeteries is $600 - a limited Budget. Both Mr. Sinclair and Mr. Wheeler stated that the litter problem is not unique to Swift's Cemetery. Mr. Sinclair suggested that, perhaps, if there were enough concerned citizens interested in historical appreciation, a Citizens' Committee could help alleviate the problem. Mrs. Guest questioned the possibility of some Federal Grants to help with the maintenance and Supervisor Aplin joined the discussion by stating that he felt there were sufficient funds in the Town Budget to take care of the Cemetery, that he has repeatedly brought to the Cemeteries Chairman's attention that the condition of the Cemetery was a total disgrace, that people may think it is abandoned and that may be why people use it the way they do and leave so much litter. This lengthy discussion continued with Mrs. Guest suggesting that the Town check to see if there is any aid available because of the Historical value, with Mr. Sinclair stating that he only hires someone to cut the grass, with Councilman Cook suggesting that perhaps the local Judges could use the local people appearing in their Courts to clean-up the Cemeteries in lieu of fines, with Mrs. Guest inquiring if the Cemetery could be cleaned up before Canaltown Days and Mr. Sinclair replying that she might contact the Canaltown Committee, with Mr. Wheeler suggesting that the Village of Palmyra enforce the Village Litter Law and with Mr. Sinclair again suggesting that concerned citizens volunteer some time and effort. The discussion also included some remarks concerning a lack of communication between Chairman Sinclair and Mrs. Guest, as well as Supervisor Aplin. Mrs. Guest informed the Board that she intended to check regularly on the Cemetery to see if anything is being done.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman — ASSESS. PL. & ZON. COMM.

(1) Application of James Washburn for Renewal of Permit to use a a Mobile Home as a residence while constructing a home. — WASHBURN APPLICATI[ON]

Mr. Cook referred to Zoning Officer Judson Roney to inform the Board in regard to the background on this application. Mr. Washburn's permit was renewed last Fall for a 6 months period, in January when he applied for another renewal, Mr. Rubery advised the Board that under the Mobile Home Ordinance, the only basis for granting a permit to reside in a Mobile Home is while a house is under construction with a valid Building Permit to do so. Mr. Washburn has filed a Building Permit and has again made application for renewal of the permit for the use of a Mobile Home. These were referred to the Planning Board for recommendations. Mr. Roney read the following recommendations from a copy of the Planning Board minutes:

Washburn Building Permit: Because the Town Board needs the Planning Board's recommendations on Jim and Hazel Washburn's building permit, Jud Roney gave background information from the last three years on this case. The Washburns presently wish to build a home around the existing mobile home unit. Glenn Young presented house plans and explained the process involved of building the home around the mobile home unit. The Washburns have an application for a building permit (82-243). The plot plan was approved in 1979. Acting Chairman Jim Mylacraine asked the Washburns when they plan to start building and Mrs. Washburn responded, "Before October or we won't get nothing done because nothing comes up the hill." The Board unanimously decided to table any decision on this case until they could go into executive session to discuss the matter thoroughly. The Washburns and Glenn Young were dismissed. After a 50 minute executivesession, Lyman Kaller made the motion, seconded by Jim Mylacraine, that the foundation and frame be complete by the end of the six (6) month trailer permit period. The secretary will so inform the Town Board. — RECOMM. OF PL. BD.

The fact was established that the Washburns have been living in the Mobile Home on North Creek Road since 1979. At that time, they requested permission to build a house which would enclose the Trailer and the Board at that time denied their request. They are still seeking permission to enclose the Trailer and Supervisor Aplin posed the question as to why they have been allowed to continue to renew their permit all this time. Again, Mr. Roney furnished the background along with Mr. Cook, informing the Board that in the past when the application was referred to the Zoning Committee, the Chairman recommended approval and the Board agreed. Mr. Sinclair stated that he felt the Board would have to clear up some of the past problems and referred to the request of Gary Sperrick and the conditions set down at that time. Discussion continued with Mr. Rubery advising the Board that the house plans would have to be certified and would have to comply with the New York State Codes which the Town recentlyadopted. Mr. Rubery also advised that this matter be tabled until the Board has all the records before them. Mr. Cook pointed out that the Planning Board seems to have had a change in opinion and he would like some more information from them. No action was taken at this time on the Washburn application. — DISC. CONT'D

(2) Application of Roy & Helen Hiler for a three (3) months Permit for use of a Camper as a residence while their house is being completed. The following Resolution was offered for the Board's consideration. — APPLIC. OF R. HILER

Motion number: 1982 - 0078 Date: August 26, 1982 — MOTION NO. 1982-0078

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Use of Camper by Roy Hiler — USE OF CAMPER

WHEREAS, Roy and Helen Hiler must vacate their residence in Phoenix, N.Y. and,

WHEREAS, The Hilers expect their house at 1960 Shilling Road to be completed to the point where they can move into it by November 30, 1982,

BE IT RESOLVED, that the Hilers be authorized to place their 8' x 16' camper to

MOTION NO. 1982-0078 CONT'D

the rear of their house, and use it as a temporary residence up until November 15, 1982, provided the Town's Building Inspector will first inspect the installation and issue a Certificate of Occupancy.

Motion passed with 5 ayes.

APPLICATION OF R & V. LOUCKS FOR SPEC. AUTHOR.

(3) Application of Ronald and Valerie Loucks for Special Authorization to operate a Restaurant at 4074 North Creek Road

Mr. & Mrs. Loucks came before the Board to discuss their request. While the Board members reviewed the application, Mr. Roney filled in the background on this request. The Board members then reviewed the proposed plans along with the Loucks. Mr. Lyon also reviewed the process involved to comply with the requirements of the Zoning Ordinance. The following Resolution was offered.

MOTION NO. 1982-0079 APPR. TO ADV. FOR PUB. HRG. (LOUCKS)

Motion number: 1982 - 0079 Date: August 26, 1982

Motion by: Nelson Cook, seconded by David Lyon

Title: Approval to Advertise for Public Hearing (Loucks)

Resolved, that the Town Board of the Town of Palmyra refer the application of Ronald & Valerie Loucks for Special Authorization to operate a Restaurant on North Creek Road to the Planning Board for their recommendations and authorize the advertising for a Public Hearing to be held at 8:00 P.M. on Thursday, September 23, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the said application.

Motion passed with 5 ayes.

LOCAL LAWS # I & # II ELEC. INSP. LAWS

(4) Agreement with the New York State Board of Fire Underwriters

Considering the fact that the Board members have had copies of Proposed Local Law # I and # II to review and that a Public Hearing will be necessary prior to adoption, the following Resolution was offered for the Board's consideration.

MOTION NO. 1982 - 0080 APPR. TO ADV. FOR PUB. HRG. LOCAL LAWS # I & # II

Motion number: 1982 - 0080 Date: August 26, 1982

Motion by: Nelson Cook, seconded by David Lyon

Title: Approval to Advertise for Public Hearing - Local Laws # I & II

Resolved, that the Town Board of the Town of Palmyra advertise for a Public Hearing to be held at 8:00 P.M. on Thursday, September 9, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider Proposed Local Laws # I and # II - Electrical Inspection Laws.

Motion passed with 5 ayes.

HERSEY-HILL MATTER REF. TO EXEC. SESS.

(5) Confirmation of the Retention of Maurice Strobridge for the Hershey-Hill matter. This was referred to later in the evening during an Executive session.

REQUEST TO ATTEND CONF.

(6) Request of Assessor Judson Roney to attend New York State Assessors Association Conference

MOTION NO. 1982 - 0081 REQ. OF ASSESS. TO ATTEND CONF.

Motion number: 1982 - 0081 Date: August 26, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Representation at State Assessors Conference

Resolved, that the Town Assessor, Judson Roney, be authorized an allowance of up to $380.00 to attend the NYS Assessors Association Conference in Swan Lake, New York on the dates of September 19 - 22, 1982, said funds to be charged against the Assessors Contractual Expense Budget.

Motion passed with 5 ayes.

AUTHOR. OF EXPENDITURES

(7) Authorization of Expenditures

(a) Assessor's Capital Expend[illegible]es Budget

MOTION NO. 1982-- 0082 PURCHASE OF ADD. MACHINE

Motion number: 1982 - 0082 Date: August 26, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Purchase of Adding Machine

RESOLVED, that the Assessor be authorized to purchase an adding machine for use in his office, with said machine to be one manufactured by Sharp, Model QS 2184, or such smaller model as may be adequate, with total expenditure not to exceed $180.00, this being a charge against the Assessor's Equipment Budget. MOTION NO. 1982-0082 CONT'D.

Motion passed with 5 ayes.

(b) Zoning Contractual Expense Budget ZON. CONTR. EX.

Motion number: 1982 - 0083 Date: August 26, 1982 MOTION NO. 1982 - 0083

Motion by: Nelson Cook, seconded by David Lyon

Title: Purchase of 16 Volume National Fire Code PURCHASE OF NAT. FIRE CODE

RESOLVED, that the Zoning Enforcement Officer be authorized to purchase one copy of the 16 - Volume National Fire Code, (Publisher is National Fire Protection Association) at a cost not to exceed $165.00, with the charge against the Zoning Contractual Expenses Budget

Motion passed with 5 ayes.

(8) Request of Betty Briggs to attend 1982 New York Planning Federation Seminar - Communication # 2 REQUEST TO ATTEND SEMINAR

This request was discussed by the Board and the following Resolution was offered.

Motion number: 1982 - 0084 Date: August 26, 1982 MOTION NO. 1982-0084

Motion by: Nelson Cook, seconded by David Lyon

Title: Approval to Attend Seminar

RESOLVED, that the Town Board of the Town of Palmyra approve the request of Betty Briggs to attend the New York Planning Federation's 44th Annual Planning & Zoning Institute to be held October 3 - 5, 1982 at Albany Hilton, Albany, New York with expenses incurred to be a proper charge against the Town. APPR. TO ATTEND SEMINAR (BRIGGS)

Motion passed with 5 ayes.

(9) Matters tabled - MATTERS TABLED

(a) Morganti's Proposed Used Car Sales Lot

A motion was made by Nelson Cook, seconded by Donald Sinclair to bring to the table the Morganti Application for Proposed Used Car Sales Lot. Motion was passed with 5 ayes. MOTION RE: MORGANTI MATTER

Judson Roney, Zoning Enforcement Officer, reported that he checked Mr. Morganti's Trailer Park which is still operating without a permit for 1982 and found that the skirting on 2 of the trailers still does not comply. While there he saw a car backed in against the building - apparently, for sale, as there were people looking at it. Mr. Morganti has no permission to park cars, therefore, he is not fully in compliance and the Town was advised by Mr. Morgant's attorney that he would comply completely. Supervisor Aplin questioned Mr. Roney concerning the length of time Mr. Morganti has been in violation. Mr. Roney responded that he believed Mr. Morganti had to remove the cars from Car Ranch, Inc. about April or May, but, he stated that cars have been parked on Mr. Morganti's property during June, July and August. Discussion followed with the Board members, Mr. Roney and the Town attorney participating. This matter was deferred to the Executive session. MATTER DEFERRED TO EXEC. SESS.

(b) Gordon Wheeler matter was tabled for 60 days and that period of time has not completely elapsed.

Economic Development Committee - Roy Aplin, Chairman ECONOMIC DEVELOP. COMM.

Mr. Aplin reported that he had sent some correspondence to the Secretary of the Palmyra Economic Development Corporation with copies to the Corporation's Directors, requesting confirmation on Mr. Richardson's leave of absence. Vice - President Michael Robinson did verify the [illegible]ve of absence.

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

(1) Progress report on work on Town Building PROGRESS REPORT

Mr. Lyon stated that all he could report was that the old roof was off - then he deferred to Mr. Roney who reported that the Roofing Contractor is making

TN. BLD. COMM. PROGRESS REPORT CONT'D

progress, the Heating Contractor is working and expects to be finished before the next Town Board meeting. Nelson Cook questioned as to when the insulation will be installed. Mr. Lyon reported that the Building Committee met on August 5th and decided to take available funds to complete the work upstairs and, perhaps, there would be sufficient funds available to rough caulk the windows before Winter. The Committee recommended that funds be transferred when necessary from the Mini-fund to finish the upstairs. Mr. Lyon reported that Supervisor Aplin has requested to use his own desk in the office being established upstairs for the Supervisor's use. He is also checking on phones and will report at the next meeting.

OTHER BUSINESS

Other Business -

(1) Courtroom Facilities - David Lyon

COURTROOM FACILITIES

The letter concerning Courtroom facilities - Communication # 4 was discussed and Mr. Lyon reported that a letter has been sent in response with a counter-proposal and he is waiting for a reply. The Town Justices are using the Town Building temporarily. Mr. Lyon also indicated that a Courtroom could possibly be set up on the second floor of the Town Building.

CABLEVISION

(2) Cablevision

The Town Attorney reviewed the Resolution which the Cablevision Company has requested the Town to adopt. Mr. Rubery advised the Board that the Resolution allows the consolidation of several companies under one company and there will be no effect on the franchise fees. He also informed the Board that he had been advised that the Cablevision Company is studying other areas for possible extension of service. Following this discussion, a Resolution was offered for the Board's consideration.

MOTION NO. 1982-0085 TRANS. OF FRANCHISE TO CABLEVISION INDUSTRIES

Motion number: 1982 - 0085 Date: August 26, 1982

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Transfer of Franchise from Wayne County Cablevision, Inc. to Cablevision Industries, Inc.

WHEREAS, Wayne County Cablevision, Inc. has heretofore been granted a franchise to operate a cable television system within the Town of Palmyra; and
WHEREAS, an application has been made in writing to transfer the said franchise from Wayne County Cablevision, Inc. to Cablevision Industries, Inc., a domestic corporation having its principal place of business at 6 Wierk Avenue, Liberty, New York, 12754; and
WHEREAS, it appears that the sole shareholder of Wayne County Cablevision, Inc. is Cablevision Industries, Inc. and that the sole shareholder of Cablevision Industries, Inc. is Alan Gerry; and
WHEREAS, it further appears that the operating personnel and administrative personnel presently operating the franchise will continue to be the same personnel to operate the franchise if the same is transferred to Cablevision Industries, Inc.; and
WHEREAS, it appears that the Town of Palmyra in no way will be prejudiced approving the transfer of the franchsie from Wayne County Cablevision, Inc. to Cablevision Industries, Inc;
NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Palmyra, as follows:

Section 1. The transfer of the CATV franchise presently held by Wayne County Cablevision, Inc. to Cablevision Industries, Inc., a domestic corporation having its principal place of business at 6 Wierk Avenue, Liberty, New York 12754, is hereby approved.

Section 2. The Town Clerk is hereby authorized to forward a copy of this resolution to the New York State Commission on Cable Television.

Section 3. This resolution shall take effect immediately.

Motion passed with 5 ayes.

MOTION TO HOLD EXEC. SESSION

At this time, a motion was offered by David Lyon, seconded by Edwin Wheeler that the Board go into Executive session for discussion of possible litigation matters. Motion passed with 5 ayes

MOTION TO RET. TO REG. SESSION

The motion to return to regular session was made by Edwin Wheeler, seconded by Donald Sinclair and passed with 5 ayes.

The following Resolutions were offered for the Board's consideration.

MOTION NO.
1982-0086
RETENTION OF LEGAL COUNSEL FOR HERSHEY HILL MATTE

Motion number: 1982 - 0086 Date: August 26, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Retention of Legal Counsel for Hershey-Hill Matters

WHEREAS, Town Attorney Rubery expressed the existence of a conflict of interest, the Town Board adopted Resolution No. 82 - 0072 at its meeting of July 22, 1982, authorizing the retention of an alternate attorney, and
WHEREAS, Attorney Maurice Strobridge of Newark was available to represent the Town in matters and questions relating to the removal of materials from property on Division Street known and referred to as the "Hershey-Hill" land,
BE IT RESOLVED, that the Town Board hereby ratifies and approves, retroactive to July 23, 1982, the retaining of Mr. Maurice Strobridge for the purposes of giving the Town Board advice and counsel relative to any and all matters where the said Board is interested and/or concerned about uses of and activities upon the approximately 12.37 acres of land on Division Street reportedly owned by Kenneth H. Hershey and Leigh C. Hill, and
BE IT FURTHER RESOLVED, that Attorney Strobridge is empowered, authorized and instructed to pursue such legal proceedings and to exercise such appropriate court actions as may be necessary or desirable to enjoin, stop, bar, or forestall the removal of gravel, sand, soil or other materials from the Hershey-Hill property, and
BE IT FURTHER RESOLVED, that Mr. Strobridge be asked to seek further guidance and instruction from the Palmyra Town Board before his fees for services shall exceed the amount of Five Hundred dollars ($500.00).

Motion passed with 5 ayes.

MOTION NO.
1982-0087
DECISION ON MORGANTI APPLICATION

Motion number: 1982 - 0087 Date: August 26, 1982

Motion by: Donald Sinclair, Seconded by Edwin Wheeler

Title: Decision to Deny the Application of Mario Morganti

WHEREAS, the Town of Palmyra has held a Public Hearing to consider the application of Mario Morganti to operate a Used Car Sales Lot on Property on Route 31 in the Town of Palmyra; and
WHEREAS, the said Town of Palmyra has agreed upon the following Findings of Fact and Conclusions of Law,

FINDINGS OF FACT

1. That the sketch submitted with the application was inaccurate.
2. That the application submitted was incomplete.
3. That the size of the parcel was not adequate for all of the supported uses:

A. Minimum lot area for two families is 15,000 square feet plus minimum lot area for each family is 6,000 or a total of 18,000 additional square feet.

B. In addition, parking space is required for each 150 square feet of floor space.

C. That section 7.4 requires adequate off-street vehicle loading and parking so as to avoid interference with streets.

D. That the parcel already supports two other businesses: a gunshop and a monument works workshop and display area.

E. That the buildings on the premises violate side yard, front yard, and rear yard set back requirements.

F. That the proposed location of display parking is within the right of way line of Hanley Road and/or Route 31.

That the proposed application for display and customer parking appears to cover more than 40 percent of the area of the lot.

That the application intends to create a garage facility of one of the buildings on the premises.

G. That the application does not provide for discontinuance of one or both of the two present commercial uses.

H. That the area is zoned Agricultural.

I. That the premises currently contain three trailers, which are a pre-existing use and two houses, a gunshop, and a garage. That there are two businesses currently operated from the premises.

4. That the proposed location along Hanley Road interferes with the Town's removal of snow.
5. That the purposed location along Hanley Road is at a bend in the road.
6. That the proposed location restricts the view of persons using Hanley Road.
7. That the premises, at the time of the application, were being operated in violation of the current zoning ordinance.
8. That no variance or special authorizations have been granted for the premises to be used for an automobile sales room.
9. Petitioner received a special authoriza[illegible] to operate the gunshop on the premises.

CONCLUSIONS OF LAW

1. That the use of the premises currently is a violation of the Zoning Ordinance.
2. That the premises are not large enough to accomodate another use.
3. That there are several violations of the Zoning Ordinance for which variances

4. That the proposed use endangers the safety of the residents of Palmyra and in particular the users of Hanley Road.
5. That the proposed use endangers the safety of the residents and the general welfare of the Town Residents of Palmyra in that it will interfere with lawful governmental functions, to wit, maintenance of Hanley Road and snow removal.
6. That the petitioner has failed to demonstrate any hardship.
7. That the petitioner failed to show that the use was necessary or a benefit to the area.
8. That the applicant failed to furnish a complete application as required by the Ordinance for the understanding of his proposed use.

BE IT THEREFORE RESOLVED, that the application of Mario Morganti, No. 82 - 236, for a special authorization be denied.

Motion passed with 5 ayes.

The motion to adjourn was made by Edwin Wheeler, seconded by Donald Sinclair and passed with 5 ayes.

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

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

TOWN OF PALMYRA
NOTICE OF
PUBLIC HEARING

PLEASE TAKE NOTICE THAT the Town Board of the Town of Palmyra will hold a Public Hearing on Thursday, September 9, 1982 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York to consider:

(1) Proposed Local Law #1 1982 Electrical Inspection Law which creates the position of Electrical Inspector, authorizes the designation of deputy inspectors and sets forth their duties and violations.

(2) Proposed Local Law #2 1982 Inspection of all Electrical Installations or Alterations. This Proposed Local law provides for inspection of all Electrical Installations and/or alterations in the Town of Palmyra.

A copy of Proposed Local Law # 1 and and Proposed Local Law #2 for 1982 is on file in the Town Clerk's Office for any interested persons to review prior to the Public Hearing.

Dated: August 30, 1982

By order of the Town Board of the Town of Palmyra.

Betty B. Stubbings, Town Clerk

(095) (S1)

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:

Sept. 1, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 1st **day of** Sept **19**82

Judith A. MacDuff
Notary Public

Fee: **$** 13.11

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4735125
Expiration Date March 30, 1983

September 9, 1982

The Public Hearing scheduled for 8:00 P.M. on Thursday, September 9, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the adoption of Local Law # I - Electrical Inspection Law and Local Law # II - Inspection of All Electrical Installation or Alterations was opened by Supervisor Aplin.

PUBLIC HEARING OPENED

LOCAL LAWS # I & II

The Proof of Publication was read by the Clerk.

Supervisor Aplin asked for comments from those present concerning these Proposed Local Laws. A general discussion followed involving the Supervisor and Board members as well as Deputy Supervisor Peter Buck, Town Attorney Paul Rubery and Zoning Officer Judson Roney and covering such points as (1) Will these laws cover public and private building (2) Inspection of new building as well as present electrical systems and minor repairs/alterations (3) comments by the Town Attorney in regard to Fire Insurance (4) the advantages of naming the New York State Board of Fire Underwriters as Inspector and Deputy Inspector (5) question of fees - who pays and what schedule is followed. The Assessment, Planning & Zoning Committee was asked to get more information on the schedule of fees used by the New York State Board of Fire Underwriters.

COMMENTS & DISCUSSION

There being no further questions or comments, Supervisor Aplin declared the hearing closed.

HEARING CLOSED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, September 9, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was opened by Supervisor Aplin at 8:15 P.M..

REGULAR MEETING OPENED

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

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

ROLL CALL

Others attending this meeting were: Deputy Supervisor Peter Buck, Town Attorney Paul Rubery, Zoning Officer Judson Roney and Chuck Lyons of the Courier-Journal.

Communications -

There were no Communications to be read at this meeting.

Prior to a review of Vouchers submitted for payment, the following Resolutions for Transfers of Funds were offered.

TRANS. OF FUNDS

Motion number: 1982 - 0088 Date: September 9, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Transfer of Funds to Engineer - Contractual Expenses Account

MOTION NO. 1982-0088

WHEREAS, the Engineer-Contractual Expenses Account No. A 1440.4 does not have funds appropriated in the Budget and
WHEREAS, there are vouchers submitted in the amount of $535.00,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of $535.00 from the Contingent Account No. A 1990.4 to the Engineer Account A 1440.4

Motion passed with 4 ayes.

Motion number: 1982 - 0089 Date: September 9, 1982

MOTION NO. 1982-0089

Motion by: Donald Sinclair, seconded by Nelson Cook

Title: Transfer of Funds to Supervisor-Contractual Expenses Account

WHEREAS, the Supervisor-Contractual Expense Account A 1220.4 has insufficient funds to cover Vouchers submitted in the amo[illegible]t of $145.16, and
WHEREAS, the Supervisor-Personnel Services A[illegible]nt No A 1220.1 has funds,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds from the Supervisor-Personnel Account No. A 1220.1 to the Supervisor-Contractual Expenses Account No. A 1220.4 in the amount of $145.16.

Motion passed with 4 ayes.

MOTION NO. 1982-0090

Motion number: 1982 - 0090 Date: September 9, 1982

Motion by: Donald Sinclair, seconded by David Lyon

Title: Transfer of Funds - to Justices - Contractual Expenses Account

WHEREAS, the Justices-Contractual Expenses Account No. A 1110.4 has insufficient funds to cover vouchers submitted in the amount of $64.61, and
WHEREAS, the Justices-Personnel Expense Account no. A 1110.1 has funds,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of the $64.61 from the Justices-Personnel Service Account A 1110.1 to the Justices-Contractual Expenses Account No. A 1110.4

Motion passed with 4 ayes.

MOTION NO. 1982-0091

Motion number: 1982 - 0091 Date: September 9, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Transfer of Funds - to Town Clerk's Deputy Account

WHEREAS, the Town Clerk's Deputy Account No. A 1410.2 has insufficient funds in the amount of $98.38, and
WHEREAS, the 1982 Budget appropriated $900 from the Dog Control Acount, and
WHEREAS, the $900 has not been transferred to the Deputy Account,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds from the Dog Control Account No. A 3510.4 to the Town Clerks Deputy Account No. A 1410.2.

Motion passed with 4 ayes.

MOTION NO. 1982-0092

Motion number: 1982 - 0092 Date: September 9, 1982

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Transfer of Funds

WHEREAS, the Town Clerk-Contractual Expenses Account No. A 1410.4 has insufficient funds in the amount of $27.90, and
WHEREAS, the Town Clerk's Personnel Service Account No. A 1410.1 has funds,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds from the Town Clerk's Personnel Services Account No. A 1410.1 to the Town Clerk's Contractual Expense Account No. A 1410.4.

Motion passed with 4 ayes.

MOTION TO PAY BILLS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Nelson Cook, seconded by Donald Sinclair to approve payment of the Vouchers as shown on Abstract # 8 A and # 9. Prior to voting, the Board along with Mr. Rubery discussed at length the Voucher submitted by Pal-Mac Plumbing in the amount of $3656.25 for work in the Town Building - voucher was not included on Abstract # 9. The motion passed with 4 ayes. The Vouchers were listed by Funds as follows:

ABSTR.#8A

ABSTRACT # 8 A

GENERAL FUND	Vouchers # 274-275	$7825.54
PART TOWN FUND	" # 57- 58	145.91
HIGHWAY ITEM I	" # 38	481.52
NORTH WATER DISTRICT	" # 32- 33	57.88
SOUTH WATER DISTRICT	" # 30- 31	28.01
EAST WATER DISTRICT	" # 35- 36	7.47
TOTAL		$8546.33

ABSTR. # 9

ABSTRACT # 9

GENERAL FUND	Vouchers # 276-295	$ 3787.97
PART TOWN FUND	" # 59- 61	236.53
FEDERAL REVENUE SHARING	" # 13- 15	7969.75
HIGHWAY ITEM I	" # 39- 43	6245.65
HIGHWAY ITEM III	" # 142-149	735.76
NORTH WATER DISTRICT	" # 34- 35	446.59
EAST WATER DISTRICT	" # 37	31.72
TOTAL		$19453.97

Returning to the subject of the Pal-Mac Plumbing Voucher, the following Resolution was offered for the Board's consideration;

MOTION NO. 1982-0093

Motion number: 1982 - 0093 Date: September 9, 1982

Motion by: Donald Sinclair, seconded by David Lyon

Title: Payment of Pal-Mac Plumbing Voucher

RESOLVED, that the Town Board of the Town of Palmyra authorize payment of $3656.25 to Pal-Mac Plumbing, said amount being 75% of total amount due, with the condition that the work be completed according to the Contract by September 17, 1982, and — MOTION NO. 1982-0093

BE IT FURTHER RESOLVED, that Pal Mac Plumbing may then submit a Voucher for approval of final payment on September 30, 1982. — PAL-MAC PLUMBING VOUCHER

Motion passed with 4 ayes.

Reports of Standing Committees — REPORTS OF COMMITTEES

Highway Committee - Edwin Wheeler, Chairman

No report at this meeting as the Chairman is absent due to illness. — HWY. COMM.

Water Committee - David Lyon, Chairman — WATER COMM.

(1) Proposed Extension to East Water District - Pulcini

Mr. Lyon reported that the Town Engineer David Matthews has met with a representative of the New York State Department of Health and Walter Pulcini but there is no proposal as yet. — PROP. EXT. TO E. WATER DIST.

Landfill Committee - Donald Sinclair, Chairman — LDFL. COMM.

Nothing to report at this time.

Cemeteries Committee - Donald Sinclair, Chairman — CEMETERIES COMM.

Nothing to report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman — ASSESS. PL. & ZON. COMM.

(1) Change in date of Public Hearing for Application of Loucks was deferred to later in the evening.

(2) Adoption of Local Laws # I and # II - The Board continued discussion on the adoption of these laws and listened to comments by the Town Attorney. Considering that there was more information concerning the rates, frequency of inspection and fee schedules requested by the Board members, this matter was tabled to the next meeting. — LOCAL LAWS I & II

(3) Matters tabled - — MATTERS TABLED

(a) Gordon Wheeler matter - On July 23rd, the Board allowed Mr. Wheeler 60 days to clear up the title on the property in question, and, as the time will be up September 23rd, this matter will be taken up at the next meeting. — WHEELER MATTER

(b) James Washburn Application - Mr. Roney reported on the status of this application and Mr. Cook read a letter from the Planning Board concerning their recommendations. A lengthy discussion followed with Supervisor Aplin reading from the minutes of June 14, 1979 at which time the Town Board denied the Washburns request to build a house around a trailer, with the Board members questioning the change in attitude by the Planning Board and the receipt of certified house plans, with Supervisor Aplin stating that the Washburns have not dealt in good faith and, if the Town approves this request, the Town will set a precedent. Following further discussion and comments by the Town Attorney and the Zoning Officer, Committee Chairman Nelson Cook indicated he would attend the next Planning Board meeting to review this application as well as the recommendations made by the Planning Board and would report back at the next meeting. — WASHBURN APPLICATIO[N] DISC.

(4) Litigations matters - these were deferred to later in the evening during Executive session.

Economic Development Committee - Roy Aplin, Chairman — ECONOM. DEV. COMM.

Nothing to report at this time.

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

(1) Progress report on work on Town Building - Mr. Lyon stated that this subject was covered earlier in the meeting during the discussion concerning the vouchers submitted for payment. He also advised the Board that the Committee is compiling figures on some minor alterations yet to be done. — REPORT ON WORK ON TN. BLDG.

OTHER BUSINESS

Other Business -

COURTROOM FACILITIES

(1) Courtroom Facilities - Mr. Lyon reported that negotiations are continuing on the use of the Courtroom facilities at the Village Hall.

CHANGE IN TN.BD.MTG

MOTION TO CHANGE MTG. TO SEPT. 30th

(2) Primary Election/Town Board Meeting, September 23, 1982 - Considering that the Town Office has been designated as the Polling Place for Election District # 4 and the regular Town Board meeting scheduled for Thursday, September 23rd conflicts with the Primary Election to be held on September 23rd, a motion was made by David Lyon, seconded by Donald Sinclair to change the regular meeting of the Town Board from Thursday, September 23rd to Thursday, September 30th at 8:00 P.M.. Motion passed with 4 ayes.

MOTION TO CHANGE PUB.HRG TO 9/30(LOUCKS)

Due to the change in the meeting of the Town Board, a motion was made by Nelson Cook, seconded by David Lyon to change the date of the Public Hearing for the consideration of Ronald and Valerie Loucks' application from 8:00 P.M. on September 23rd to 8:00 P.M. on September 30th. Motion passed with 4 ayes.

REQUEST FOR NEW VOT.MACH.

(3) Request for Purchase of Voting Machine - Supervisor Aplin informed the Board that he had received a request from Voting Machine Custodian Ellsworth Bedette for authorization to purchase a new Voting Machine. The Board discussed this request briefly and indicated they would like a report on the status of the present machines before they make the decision to use the funds available in the Budget for the purchase of a new machine.

MEMORIAL TO TN. HIST. LORENE WARNER

(4) Town Historian Lorene Warner - Supervisor Aplin spoke to the Board concerning the recent death of the Town Historian and commented on Lorene's dedication and devotion to her community. A motion was made by Donald Sinclair, seconded by Nelson Cook that a memorial to Lorene Warner, Town Historian of the Town of Palmyra, becomes a part of the record of this meeting. Motion passed with 4 ayes.

MOTION NO. 1982-0094

MEMORIAL TO LORENE WARNER, TN. HISTORIAN

Motion number: 1982 - 0094 Date: September 9, 1982

Motion by: Donald Sinclair, Seconded by Nelson Cook

Title: In Memory of Lorene Warner
Presented by the Supervisor of the Town of Palmyra

WHEREAS, Lorene D. Warner served as Town Historian from June 11, 1970 until her passing, and
WHEREAS, during that period she served with ability, loyalty and dedication to Palmyra, and
WHEREAS, her knowledge ~~XXXXXXXXX~~ of the history of the area was unsurpassed and she shared that knowledge with both residents and non-residents alike, and
WHEREAS, not only her professionalism as Town Historian, but, her high and fine personal qualities made her an important and respected figure in her community, and
WHEREAS, Almighty God on September 5, 1982 saw fit to call unto Himself, Lorene D. Warner which was a great loss to her family, many friends and the community.
NOW THEREFORE BE IT RESOLVED, that this page of the minutes of these proceedings be dedicated in her memory.

MOTION FOR EXEC. SESS.

A motion was made by Nelson Cook, seconded by Donald Sinclair to hold a 5 minute recess, then go to Executive session to discuss litigation matters. Motion passed with 4 ayes.

MOTION - REG. SESS.

The motion to return to regular session was made by Nelson Cook, seconded by Donald Sinclair and passed with 4 ayes.

MOTION TO ADJOURN

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

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

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

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

.....Sept. 15, 1982..

....

....

....

Rosalie J Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 20th **day of** Sept. **19**82

Judith A. MacDuff
Notary Public

Fee : **$**6.41

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1983

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne

LEGAL NOTICE
TOWN OF PALMYRA
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Palmyra will hold a Public Hearing at 8:00 P.M. on Thursday, September 30, 1982 in the Town Office [illegible] Street, Palmyra, New York, to consider the application of Ronald [illegible] Loucks, 4074 North Creek Road, Palmyra, New York, for Special Authorization to operate a Restaurant at 4074 North Creek Road in the Town of Palmyra. These premises located at 4074 North Creek Road in the Town of Palmyra are situated in an Agricultural Zone and are bounded on the North by North Creek Road, on the West by Hogback Hill Road, on the South by lands of the Penn Central Company, and on the East by lands of Edward Zaborowski, 4086 North Creek Road.

[illegible] Town of Palmyra Zoning Ordinance, Article III, Section 3.[illegible], Paragraph [illegible] Agricultural Zone states: Use of land other than for Farm purposes requires Special Authorization from the Town Board. Special Authorization is subject to Article VII, Section 7.1 of the Zoning Ordinance.

The said Town Board will at said time and place hear all persons in support of said application or any objections thereto. Persons may appear in person or by attorney or agent.

Dated: September 13, 1982

By order of the Town Board of the Town of Palmyra
Betty B. Stubbings, Town Clerk [illegible]

......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:

..........Sept. 15, 1982..................................

....

....

....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 20th **day of** Sept **19**82

Judith A. MacDuff
Notary Public

Fee: $18.00

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1983

September 30, 1982

PUBLIC HEARING (LOUCKS)

The Public Hearing scheduled to be held at 8:00 P.M. on Thursday, September 30, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Ronald & Valerie Loucks, 4074 North Creek Road in the Town of Palmyra, for Special Authorization to convert a home into a Restaurant was opened by Supervisor Aplin.

The Proof of Publication was read by the Clerk.

Those attending were: James Piotter, Shelly Bumpus, Garry Musto, Iris Shulla, Jack Pechler, Gordon Wheeler, G.H. Lyons of the Courier-Journal, James and Hazel Washburn, Glenn Young, Bradley Williams, Judson Roney and James DeBrine.

COMMUNICATIONS RELATING TO REQUEST

The Clerk read four (4) communications relating to this application - (1) to Nelson Cook from Judson Roney (2) to John Steele of the Wayne County Planning Department from Judson Roney (3) to the Town Clerk from Nancy Cushman, Secretary of the Planning Board (4) to Judson Roney from Nancy Cushman in regard to the recommendations from the Wayne County Planning Board (Sharon Lilla) - all communications are on file with the Loucks' applications.

Supervisor Aplin asked for comments in favor of or opposed to this request from those present. Mr. & Mrs. Loucks were not present at this hearing to speak concerning their request.

DISCUSSION

During a brief discussion on this application, Mr. Aplin stated that he felt the Town Board was elected by the people of this Town to look out for the best interests of the people, the Planning Board was appointed to assist the Town Board by making recommendations on certain matters when they were referred to them and Mr. Aplin further stated that he resented the fact that the Wayne County Planning Board was contacted and felt they should not be involved - the Town of Palmyra Planning Board should make the decisions on recommendations for the Town Board. Siegel Gilfus commented that he couldn't understand why one (restaurant) would be allowed out there after the Board had turned down the Pechler request. He also stated that the Town didn't need another restaurant - there are enough drunks on the road, why would they (Town Board) want another one up there.

HRG. CLOSED

There being no further comments, a motion was made by Donald Sinclair, seconded by Edwin Wheeler to close the hearing. Motion passed with 4 ayes. The application was referred to the Committee.

REG. MTG. OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled for Thursday, September 30, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin at 8:15 P.M..

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

ROLL CALL

Upon Roll Call, the following Boardmembers were present: Supervisor Roy Aplin, Town Councilmen David Lyon, Donald Sinclair and Edwin Wheeler. Town Councilman Nelson Cook had notified the Clerk he would be late.

MOTION TO APPR. MIN. OF 8/26

Following a review of the minutes of August 26, 1982, the motion to approve the minutes with a correction to be made on Page 195 changing Swift's Landing Bridge to read Galloway Bridge, was made by Donald Sinclair, seconded by Edwin Wheeler and passed with 4 ayes.

COMMUNICATIONS

Communications -

1.Letter from Village of Macedon (Fire Commissioner) re: Ambulance Services - Mutual Aid System

2.Letter from Rev. Vlaardingerb re: Speed Limit on East Palmyra - Port Gibson Road

3. Letter from W. LaJoie re: Sewer & Storm Drain Resolution - Division Street

The members of the Board reviewed the Claims/Vouchers submitted for payment. A motion was made by Edwin Wheeler, seconded by Donald Sinclair to approve payment of the Claims/Vouchers as shown on Abstract # 9A. During Discussion Mr. Aplin spoke in regard to the unsigned Vouchers of the Palmyra Kings Daughters Free Library and the Palmyra Economic Development Corporation. The motion passed, pending the signatures on the above mentioned vouchers, with a vote of 3 ayes and 1 no - Roy Aplin voting no. The Vouchers were listed by Funds as follows:

MOTION TO PAY BILLS

ABSTRACT #9A

GENERAL FUND	Vouchers	#298-313	$10551.69
PART TOWN FUND	"	# 62- 71	5543.02
REDERAL REVENUE SHARING	"	# 16- 20	4783.80
HIGHWAY ITEM I	"	# 44- 49	9608.27
HIGHWAY ITEM III	"	#150-162	3483.78
HIGHWAY ITEM IV	"	# 38	4020.00
NORTH WATER DISTRICT	"	#396	54.25
SOUTH WATER DISTRICT	"	# 32- 33	36.85
EAST WATER DISTRICT	"	# 38	7.00
TOTAL			$38088.66

REPORTS OF COMMITTEES

Reports of Standing Committee -

HWY. COMM.

Highway Committee - Edwin Wheeler, Chairman

(1) NYS Electric & Gas Corporation - Permit for Excavation

MOTION NBR. 1982-0095

APPR. OF PERMIT NYSE&G

Motion number: 1982 - 0095 Date: September 30, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Approval of Permit for Excavation - NYS Electric & Gas Corp.

Resolved, that the Town Board of the Town of Palmyra approve the Permit submitted by the New York State Electric & Gas Corporation for Excavation on Vienna Street Road with the condition that the Town of Palmyra be named in the Insurance by the Sub-contractor.

Motion passed with 4 ayes.

REQUEST FOR SPEED LIMIT E.PAL-PT.GIBSON ROAD

(2) Request for Speed Limit on East Palmyra-Port Gibson Road - Communication # 2

Town Highway Superintendent DeBrine reported that he had checked on this request and found that the matter must still be in Albany - NYS Department of Transportation. He stated that the Highway Department has changed (with the County's blessing) the School signs from the former area on Whitbeck Road to the new area of the school and that's all the Highway Department can do at this time. The Town must wait for the response from the DOT. Town Councilman Sinclair requested that the Supervisor protest, on behalf of the Board, the slowness in receiving a response and indicate that the Board goes on record as being extremely upset with this delay.

DIV. ST. DRAINAGE PROBLEM

(3) Division Street Drainage Problem - Communication # 3

A motion was made by Edwin Wheeler, seconded by David Lyon, to bring Communication # 3 - Division Street Drainage Problem on to the Agenda. Motion passed with 4 ayes.

This matter was referred to Committee.

WATER COMM.

Water Committee - David Lyon, Chairman

E.WATER DIST. PROP. EXT.

(1) Proposed Extension to East Water District - Pulcini

Mr. Lyon reported that a proposal has been received from Walter Pulcini - copies have gone to the Town Attorney and Town Engineer for review to ensure that the proposal incorporates the recommendations of the Town Water Committee.

LANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman

Mr. Sinclair reported that everything is running smoothly.

CEMETERIES COMM.

Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

ECONOMIC DEV. COMM.

Economic Development Committee - Roy Aplin, Chairman

No report at this time

Town Building Committee - David Lyon, Chairman

(1) Progress report on work on 2nd floor of Town Building

TN. BLDG. COMM.

Mr. Lyon reported that the patching of the rug in the meeting room has been done and after checking with Mr. Aplin, reported that the painting is done in the Supervisor's Office. A brief discussion followed.

(2) Phone Purchase

PHONE PURCHASE

Mr. Lyon reported that he has been checking on the possibility of purchasing phones for the offices in the Town Building. The purchase would cost approximately $542 and the change would amount to a possible savings of $600 to $700 a year. The Board also discussed this matter briefly and Mr. Lyon was requested to obtain some information on in-house communications.

Town Councilman Donald Sinclair excused himself from the meeting for about ten minutes.

Other Business -

OTHER BUSINESS

(1) Dog Lease Agreement - this agreement has not been received as yet from the Town Attorney.

DOG LEASE AGREEMENT

(2) Public Hearings

PUBLIC HEARINGS

(a) Proposed Use of General Revenue Sharing Funds

PROP. USE OF GEN. REV. SHAR FUNDS

Supervisor Aplin reviewed the use and committments of these Funds for 1983 and reported that the Town of Palmyra will receive $38,980 in General Revenue Sharing Funds for the Federal period of October 1982 - October 1983. The committment of Revenue Sharing Funds to the Palmyra Community Center - $16,500 for 1983 - was discussed. The Board then discussed some proposed uses for these funds.

Motion number: 1982 - 0096 Date: September 30, 1982

MOTION NO. 1982-0096 APPROV. TO ADV. FOR PUBL HRG.

Motion by: Roy Aplin, seconded by Edwin Wheeler

Title: Approval to advertise for Public Hearing - Proposed Use of General Revenue Sharing Funds

Resolved, that the Town Board of the Town of Palmyra approve the advertising for a Public Hearing to be held at 8:00 P.M. on Thursday, October 14, 1982 at the East Palmyra Fire Hall on the Proposed Use of General Revenue Sharing Funds for the calendar year 1983 estimated to be in the amount of $38,980 with planned use for renovation of Municipal Facilities in the amount of $12,480, for the Sanitary Landfill in the amount of $10,000 and for the Palmyra Community Center in the amount of $16,500.

Motion passed with 3 ayes - Donald Sinclair was temporarily absent.

Motion number: 1982 - 0097 Date: September 30, 1982

MOTION NO. 1982-0097 APPROV. TO ADV. FOR PUBL. HRGS.

Motion by: Roy Aplin, seconded by Edwin Wheeler

Title: Approval to advertise for Public Hearings

Resolved, that the Town Board of the Town of Palmyra approve the advertising for Public Hearings as follows:

(1) Public Hearing to be held at 7:30 P.M. on Thursday, November 4, 1982 in the Town Office, 201 East Main Street, Palmyra, New York on the Actual Use of General Revenue Sharing Funds for the calendar year 1983 estimated to be in the amount of $38,980.

(2)Public Hearing to be held at 7:45 P.M. on Thursday, November 4, 1982 in the Town Office, 201 East Main Street, Palmyra, New York on the Preliminary Budget for 1983.

Motion passed with 3 ayes - Donald Sinclair was temporarily absent.

Town Councilman Nelson Cook joined meeting at this time (9:12 P.M.).

(3) Courtroom Facilities - David Lyon

COURTROOM FACILITIES

Mr. Lyon reported that he has received a memo back from the Village of Palmyra with a proposal of $1000 for 1 year, the Village and Town to compile a list of publications - update of which would be shared by the Village and Town and the

COURTROOM FACILITIES

use of a copy machine to be worked out. Mr. Lyon had no recommendations at this time but indicated he will work with Mr. DePoint to resolve this matter. No lists have been received as yet from the Town Justices in regard to the legal publications on hand at this point.

(4) Reminder - The Town Board meeting will be held at the East Palmyra Fire Hall on Thursday, October 14, 1982.

RECESS

A five minute recess was declared at 9:20 P.M..

MTG. RE-OPENED

At 9:25 P.M., the regular meeting was re-opened by Supervisor Aplin.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSESS., PL., &ZON.

APPLIC. OF R & V LOUCKS

(1) Application of Ronald & Valerie Loucks for Special Authorization - subject of the Public Hearing earlier in the meeting.

Mr. Cook indicated he would like to refer this matter to the October 14, 1982 meeting in order to gain more in-put and to receive the final recommendations from the Planning Board.

MOTION TO TABLE LOUCKS APPLIC.

A motion was made by Nelson Cook, seconded by David Lyon to table the application of Ronald & Valerie Loucks to the October 14th meeting. Motion passed with 5 ayes.

(2) Local Laws # 1 & # 2 - Electrical Inspection Laws

LOCAL LAWS #1 & #2

Mr. Cook stated that at the last meeting a question was raised concerning the rates charged for Electrial inspections. At this time, Mr. Cook reviewed the Fee Schedule of the Board of Fire Underwriters and informed the Board that $23.50 is the minimum for additions, etc. and the fee for the inspection of an average complete house would run from $55 to $60.

MOTION NO. 1982-0098

ADOPTION OF LOCAL LAW # 1 - 1982

Motion number: 1982 - 0098 Date: September 30, 1982

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Approval to adopt Local Law # 1 of 1982

Resolved, that the Town Board of the Town of Palmyra approve the adoption of Local Law # 1 of 1982 creating the position of Electrial Inspector, authorizing the designation of deputy inspectors, and setting forth their duties and violations thereunder.

Motion passed with 5 ayes.

MOTION NO. 1982-0099

ADOPTION OF LOCAL LAW # 2 -1982

Motion number: 1982 - 0099 Date: September 30, 1982

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Approval to adopt Local Law # 2 of 1982

Resolved, that the Town Board of the Town of Palmyra approve the adoption of Local Law # 2 of 1982 providing for inspection of all electrical installations or alterations in the Town of Palmyra.

Motion passed with 5 ayes.

(3) Application of Bradley Williams for replacement of a Mobile Home with a larger Mobile Home.

APPLIC. OF B. WILLIAMS M.H. REPL.

The Board discussed this request of Mr. Williams, 4071 Newark Road, to replace a 10'x60' Mobile Home with a 14'x70' Mobile Home. The present Mobile Home is 19 years old, too small for a family. Following some questions concerning the lot lines, sement foundation and how long the present trailer will stay on the property after the replacement trailer is in place, a Resolution was offered for the Board's consideration.

MOTION NO. 1982-0100

APPROV. TO REPL. M.H.

Motion number: 1982 - 0100 Date: September 30, 1982

Motion by: Nelson Cook, seconded by Donald Sinclair

Title: Approval of Applicati[illegible] to Replace Mobile Home - B. Williams

Resolved, that the Town Board of the Town of Palmyra approve the application of Bradley Williams to replace a Mobile Home (10'x60') with another Mobile Home (14'x70') according to the requirements of the Town of Palmyra Mobile Home Ordinance.

Motion passed with 5 ayes.

[redacted]

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
TOWN OF PALMYRA
NOTICE
OF ADOPTION OF
LOCAL LAWS
#I and #II-1982

NOTICE IS HEREBY GIVEN that Local Laws #I and #II of 1982 have been adopted by Resolution of the Town Board of the Town of Palmyra at a regular meeting held on September 30, 1982. Local Law #I of 1982 entitled "Electrical Inspection Law" and Local Law #II of 1982 entitled "Inspection of All Electrical Installations or Alterations" have been received and filed with the Department of State, Albany, New York pursuant to Section 27 of the Municipal Home Rule Law and is on file at the Town Office, 204 East Main Street, Palmyra, New York.

Dated: October 4, 1982
Betty B. Stubbings
Town Clerk
Town of Palmyra
(92) (O-6)

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

Oct. 6, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 14th **day of** October **19**82

Judith A. MacDuff
Notary Public

Fee: $9.46

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1983

(4) Application of Geraldine Moses for Special Authorization to operate a Ceramics business in her home - 4090 North Creek Road. APPLIC. OF G. MOSES

Motion number: 1982 - 0101 Date: September 30, 1982 MOTION NO. 1982-0101

Motion by : Nelson Cook, seconded by David Lyon

Title: Approval to advertise for Public Hearing - G. Moses APPR. TO ADV. FOR PUB. HRG.

Resolved, that the Town Board of the Town of Palmyra refer the application of Geraldine Moses to the Planning Board for their meeting on October 12th, and Be It Further Resolved, that the Town Board of the Town of Palmyra approve the advertising for a Public Hearing to be held at 8:00 P.M. on Thursday, October 28, 1982 in the Town Office to consider the application of Geraldine Moses for Special Authorization.

Motion passed with 5 ayes.

(5) Matters tabled - MATTERS TABLED

(a) Application of James Washburn for Mobile Home Permit & Building Permit

Mr. & Mrs. Washburn and Glenn Young were in attendance and had Certified house plans to present which will be reviewed by Zoning Officer Roney and Nelson Cook. The Board made no decision at this time. Mr. Roney reviewed the background on the Mobile Home Permit and the Building Permit and explained the reasons for the delay in this matter which remained on the table. WASHBURN - M.H. PERMIT & BLDG. PERM

(b) Gordon Wheeler matter WHEELER

Mr. Wheeler was requested on July 23rd to return at the end of 60 days, the time he was allowed to resolve the settlement of the George Gilfus estate and to establish ownership of the George Gilfus property on Garnsey Road. Mr. Wheeler at this time came before the Board with (1) an appraisal of the property done by Mr. Cunningham (2) a Purchase offer to the County and (3) Papers shewing the money to purchase the property is in escrow. The Board discussed this matter with Mr. Wheeler and Siegel Gilfus who filled in some background on the legal problems with the George Gilfus estate. This matter was left on the table until October 28th.

(6) Cease & Desist Order issued by the Zoning Officer CEASE & DESIST ORDER - SHULLA

A motion was made by Nelson Cook, seconded by Donald Sinclair to bring to the agenda the subject of a Cease & Desist Order issued by Zoning Enforcement Officer Judson Roney to Mrs. Iris Shulla, Route 31E. Motion passed with 5 ayes.

Mrs. Shulla, Jack Pechler and Mr. Muoio, their attorney, were present.

Mr. Roney presented some background on this matter and Mr. Muoio presented some facts pertaining to the situation.

The Board discussed the matter at length and made the decision that the Town of Palmyra does not have the jurisdiction to proceed with this matter and the Zoning Officer was instructed to with draw the Cease & Desist Order.

During the above discussion, Town Councilman Edwin Wheeler left the meeting (10:30 P.M.) - and Town Attorney Paul Rubery joined the meeting (10:40 P.M.).

At 10:45 P.M., Supervisor Aplin and Town Councilman Donald Sinclair left the meeting for 5 minutes.

When the meeting resumed, Supervisor Aplin reported briefly on the status of the bridges (Swift's Landing and Galloway) as reported at the last County Board meeting. BRIDGES

A motion was made by Nelson Cook, seconded by David Lyon to go into Executive session to discuss some litigation m... ers. Motion passed with 4 ayes. MOTION TO GO TO EXEC. SESSION

The motion to return to regular session was made by Donald Sinclair, seconded by Nelson Cook and passed with 4 ayes. MOTION TO RETURN TO REG. MTG.

The motion to adjourn was made by Donald Sinclair, seconded by Nelson Cook and passed with 4 ayes. MOTION TO ADJOURN

Respectfully submitted,

[illegible signature]

PUBLIC HEARING

PROP. USE OF FED. REV. SHARING FUNDS

The Public Hearing scheduled to be held at 8:00 P.M. on Thursday, October 14, 1982 in the East Palmyra Fire Hall, East Palmyra, New York on the Proposed Use of General Revenue Sharing Funds for the calendar year 1983 estimated to be in the amount of $38,980 with planned use for renovations of Municipal Facilities in the amount of $12,480, for the Sanitary Landfill in the amount of $10,000, and for the Palmyra Community Center in the amount of $16,500 was opened by Supervisor Aplin.

The Proof of Publication was read by the Clerk.

Supervisor Aplin offered some comments concerning the General Revenue Sharing Funds and stated there are 2 hearings to be held, this one on the Propose Use and a hearing to be held on the Actual Use. He also informed those present that, by Resolution of the Board in 1981, part of the Revenue Sharing Funds were committed thru 1983. In 1982, $16,500 of General Revenue Sharing Funds have been paid to the Palmyra Community Center and another $16,500 is committed to the Palmyra Community Center for 1983. Mr. Aplin also advised the Proposed Use of the balance of $22,480 is $12,480 for Town Building renovations and $10,000 for the Landfill. Mr. Aplin stated that all indications are that October 1983 will be the end of Federal Revenue Sharing Funds.

Comments were requested from those present. Frank Corall of the East Palmyra Fire Department stated that the firemen expect to establish a Firemens' Memorial Park and, considering that the East Palmyra residents do not use the Palmyra Community Center, he asked if any of these Federal funds could be used for the park. Mr. Aplin responded that he doubted that the Revenue Sharing Funds could be allocated for that purpose but he offered to checkit out and will consider this request at Budget time. Mr. Corall stated that recreational facilities are needed in East Palmyra and any donations for the park would be welcome.

Judson Roney, Assessor and Zoning Enforcement Officer for the Town of Palmyra, questioned if any funds could be allocated for a new copy machine for the Town Office.

Those who attended this hearing were:Linda Guest, Art & Ellen Goetzmann, Lyman Kaller, James & Hazel Washburn, Patricia Ross, Jan Edwards, Roy Wilck, Harry & Florence Wilkins, Jud Roney, C.H. Lyons, Peter & Rita Burm, C.Roy Lyon & Verona Lyon, Charlene Lyon, Frank & Nora Corall.

HRG. CLOSED

Hearing no further comments, Mr. Aplin declared the hearing closed at 8:10 P.M..

REG. MTG. OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held at the East Palmyra Fire Hall, East Palmyra, New York on Thursday, October 14, 1982 was called to order by Supervisor Aplin.

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

ROLL CALL

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

MOTION TO APPR. MIN. 9/9/82

Following a review of the minutes submitted for approval, a motion was made by Nelson Cook, seconded by Edwin Wheeler to approve as submitted the minutes of September 9, 1982. Motion passed with 4 ayes.

COMMUNICATIONS

Communications -

1. Letter from 7th Judicial District re: Temporary Assignment of Judges.

2. Letter from NYS. Dept. of Transportation re: Spped Limit on Stafford Road.

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
TOWN OF PALMYRA
NOTICE OF
PUBLIC HEARING ON
GENERAL REVENUE
SHARING FUNDS

PUBLIC NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will hold a Public Hearing at 8:00 P.M. on Thursday, October 14, 1982 at the East Palmyra Fire Hall on the Proposed General Revenue Sharing Funds for the calendar year 1983 estimated to be in the amount of $38,990 with planned use for renovation of Municipal Facilities in the amount of $12,490, for the Sanitary Landfill in the amount of $10,000 and for the Palmyra Community Center in the amount of $16500.

All interested persons will be given the opportunity to be heard.

Dated: October 1, 1982
By order of the
Town Board of the
Town of Palmyra
Betty B. Stubbings
Town Clerk

(085) (O-6)

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

........Oct. 6, 1982..................

....

....

....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 14th day of October 19 82

Judith A. MacDuff
Notary Public

Fee: $10.68

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4730126
Expiration Date March 30, 1983

MOTION TO ADD COMMUN. #3 TO AGENDA

3. A motion was made by Edwin Wheeler, seconded by Nelson Cook to add to the Agenda as Communication # 3, the letter of October 7, 1982 from the NYS Dept. of Transportation re: the request for a reduced Speed Limit on the East Palmyra-Port Gibson Road. Motion passed with 4 ayes.

TRANSFERS OF FUNDS

Prior to the approval of the Claims/Vouchers submitted for payment, the following Resolutions for Transfers of Funds were offered:

MOTION NO. 1982-0102

TN. CLK. CONT. EXP. ACCT.

Motion number: 1982 - 0102 Date: October 14, 1982
Motion by: Nelson Cook, seconded by Edwin Wheeler
Title: Transfer of Funds to Town Clerk-Contractual Expense Account

WHEREAS, the Town Clerk-Contractual Expense Account No. A1410.4 has insufficient funds in the amount of $4.17, and
WHEREAS, the Town Clerk-Personnel Service Account No. A1410.1 has funds,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds from the Town Clerk-Personnel Services Account A1410.1 to the Town Clerk-Contractual Expense Account A1410.4 in the amount of $4.17/
Motion passed with 4 ayes.

MOTION NO. 1982-0103

SUPER. CONT. EXP. ACCT.

Motion number: 1982 - 0103 Date: October 14, 1982
Motion by: Nelson Cook, seconded by Edwin Wheeler
Title: Transfer of Funds to Supervisor Contractual Expense Account

WHEREAS, the Supervisor Contractual Expense Account No. A1220.4 has insufficient funds to cover Vouchers submitted in the amount of $40.84, and
WHEREAS, the Supervisor-Personnel Service Account No. A1220.1 has funds,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds from the Supervisor Personnel Service Account No. A1220.1 to the Supervisor Contractual Expense Account No. A1220.4 in the amount of $40.84.

Town Councilman David Lyon questioned what the bills were for in this Transfer and Supervisor Aplin responded by reading the list of expenditures in the Supervisor's Contractual Expense Account for 1982. It was determined that the phone bill for the Supervisor's Office was the amount specified in the Transfer. Motion passed with 4 ayes.

MOTION TO PAY BILLS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Nelson Cook, seconded by Edwin Wheeler to approve payment of the Vouchers as shown on Abstract # 9B and # 10. Motion passed with 4 ayes. The Vouchers were listed by Funds as follows:

ABSTR. #9B

Abstract # 9B -

GENERAL FUND	Vouchers	# 314-315	$483.86
PART TOWN FUND	"	# 72	13.03
HIGHWAY ITEM I	"	# 50- 51	496.01
NORTH WATER DISTRICT	"	# 37	3.63
SOUTH WATER DISTRICT	"	# 34	1.76
EAST WATER DISTRICT	"	# 39	.47
TOTAL			$998.76

ABSTR. #10

Abstract # 10 -

GENERAL FUND	Vouchers	# 316-330	$ 931.64
PART TOWN FUND	"	# 73- 79	872.84
FEDERAL REVENUE SHARING FUNDS	"	# 21- 22	218.40
HIGHWAY ITEM I	"	# 52	3522.58
HIGHWAY ITEM III	"	#163-171	1838.66
HIGHWAY ITEM IV	"	# 39	3527.65
NORTH WATER DISTRICT	"	# 38- 40	5310.95
SOUTH WATER DISTRICT	"	# 35- 36	3052.47
EAST WATER DISTRICT	"	# 40- 42	860.58
TOTAL			$20128.77

REPORTS OF COMM.

Reports of Standing Committees -

HWY. COMM.

Highway Committee - Edwin Wheeler, Chairman

DIV. ST.

1. Division Street Drainage Problem

This matter was deferred to the next meeting.

REQUESTS FOR SPEED LIMITS

(2) Requests for Speed Limits on (1) Stafford Rd. and (2) East Palmyra-Port Gibson Road

Following a brief discussion on Communications #2 and #3 from the NYS Department of Transportation in regard to Speed Limits for Stafford Road and East Palmyra-Port Gibson Road and a memo from Town Highway Superintendent DeBrine requesting approval to order appropriate signs and posts, the following Resolution was offered for the Board's consideration.

MOTION NO. 1982-0104

AUTHOR. TO ORDER SIGNS & POSTS

Motion number: 1982 - 0104 Date: October 14, 1982

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Authorization to Order Signs & Posts

RESOLVED, that the Town Board of the Town of Palmyra authorize the Superintendent of Highways to order the appropriate signs and posts for the signing of the Speed Limits on Stafford Road and East Palmyra-Port Gibson Road pending receipt of the Official orders from the Department of Transportation.

During discussion on the motion, Town Councilman Wheeler commented that sometimes the wheels of government take time but this Board has won a victory. Mr. Aplin outlined the procedures which have to be followed before a Speed Limit can be official. Pressures from the people and backing of the Town Board made these Speed Limits possible. Mr. Aplin, also, spoke concerning the fact that a second petition was necessary to get approval for the Speed Limit on Stafford Road. Frank Gorall spoke of the advantages of the reduced Speed Limit for the settlement and the school and asked if there was any way to forget the resume speed sign in order to extend the spped limit for the residents down the road. Deputy Highway Superintendent Lyman Kaller responded that the State regulations have to be followed concerning signs.

Motion passed with 4 ayes.

CLOSING OF E. TN.LINE RD.

(3) Seasonal Closing of East Townline Road

The Board was reminded by a memo from the Highway Superintendent that the seasonal closing of East Townline Road should be posted.

MOTION NO. 1982-0105

APPR. TO CLOSE E. TN. LINE ROAD

Motion number: 1982 - 0105 Date: October 14, 1982

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Approval to Close East Townline Road

RESOLVED, that pursuant to Highway Law, Section 205-a-1, the Town Board of the Town of Palmyra declares that the East Townline Road in the Town of Palmyra be designated a Seasonal Limited Use Highway - said Highway will not be maintained and will be closed from November 15, 1982 to April 15, 1983.

Motion passed with 4 ayes.

BRIDGES

(4) Bridges -

Supervisor Aplin reported briefly on the status of the Swift's Landing and Galloway Bridges. There is no action at the County level at this time, but the County has found that they cannot abandon the Swift's Landing Bridge. Art Goetzmann had some questions concerning Swift's Landing (Harrison's Mill) Bridge and Supervisor Aplin responded. Mr. Aplin also reviewed the background on the Galloway Road Bridge project and suggested that the people keep the pressure on to get the project going. Frank Gorall inquired if there has been any input from the Fire Advisory Board and Mr. Aplin indicated he would check on that.

WATER COMM.

Water Committee - David Lyon, Chairman

PROP. EXT. TO EAST WATER DIST.

(1) Proposed Extension to East Water District (Pulcini)

Mr. Lyon reported that the Engineer is reviewing the plans and the Committee is still working on this matter.

LDFL & CEM. COMM.

Landfill and Cemeteries Committees - Donald Sinclair, Chairman

No report from these Committees at this time.

AFFIDAVIT OF PUBLICATION

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

NOTICE IS HEREBY GIVEN that pursuant to Highway Law Section 205-a 1, the Town Board of the Town of Palmyra at their regular meeting held Thursday October 14, 1982 declared by Resolution that the East Town Line Road in the Town of Palmyra be designated a Seasonal Limited Use Highway. Said Highway will not be maintained and will be closed from November 15 1982 to April 15, 1983.

Dated October 15, 1982

By order of the Town Board of the Town of Palmyra.

Betty B. Stubbings, Town Clerk

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

Oct. 20, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 29th day of Oct 19 82

Judith A. MacDuff
Notary Public

Fee: $7.32

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736128
Expiration Date March 30, 1983

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman ASSESS., PL. & ZON. COMM.

(1) Application of Ronald & Valerie Loucks for Special Authorization to operate a Restaurant APPLIC. OF LOUCKS

This application, subject of a Public Hearing on September 30th, was deferred to this meeting in order to receive further recommendations from the Town of Palmyra Planning Board and the Wayne County Planning Board. At this time, Mr. Cook read the recommendations from both the Palmyra Planning Board and Wayne County Planning Board. Mr. Aplin raised the question as to why the application was referred to the Wayne County Planning Board and Mr. Cook responded. Town Councilman Wheeler suggested that, because of the nature of this matter, it be deferred to the next meeting. Mr. Wheeler made the motion to table the subject of the Loucks Application to the next meeting when the full Board and the Town Attorney could be present. There was no second to the motion and the motion was lost. MOTION TO TABLE WAS LOST

The following Resolution was then offered for the Board's consideration.

Motion number: 1982 - 0106 Date: October 14, 1982 MOTION NO. 1982-0106

Motion by: Nelson Cook, seconded by David Lyon

Title: Decision on Application of Ronald & Valerie Loucks

RESOLVED, that the Town Board of the Town of Palmyra deny the application of Ronald & Valerie Loucks for Special Authorization to operate a Restaurant at 4074 North Creek Road in the Townof Palmyra. APPLIC. DENIED

Under discussion, Mr. Cook compared the Public Hearing held for the Loucks application with the one held for the Pechler application. At the Pechler hearing many people were in attendance to express their approval or opposition and, although these two places are only 1 mile apart, at the Loucks hearing no one appeared to present their views, no letters were received and Mr. & Mrs. Loucks were not in attendance. Mr. Cook stated that Mr. & Mrs. Loucks came before the Board to present their application and ask for a Public Hearing but did not attend the hearing on September 30th and were not present at this meeting. He felt the Loucks should be present to respond to questions and the fact they were not in attendance showed a lack of interest. Supervisor Aplin read from a copy of Pechler's denial which stated reasons for the denial. He compared the areas and found them to be similar. Peter Burm questioned the type of license each of these applicants were seeking. This point was discussed briefly. DISCUSSION

Motion for denial of this application was passed with 4 ayes.

(2) Mario Morganti's Application for Used Car Sales Office MORGANTI'S APPLICATION

A motion was made by Nelson Cook, seconded by David Lyon to hold a Public Hearing at 8:30 P.M. on Thursday, October 28, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Mario Morganti for Special Authorization for a Used Car Sales Office and Lot at 5100 Palmyra-Newark Road. Motion passed with 4 ayes. Mr. Aplin advised those present that this was the second time Mr. Morganti has applied for this Special Authorization. MOTION TO HOLD PUB. HRG

(3) Matters tabled - MATTERS TABLED

(1) Application of James & Hazel Washburn for Renewal of Mobile Home Permit and Application for Building Permit APPLIC. OF J. WASHBURN

A motion was made by Nelson Cook, seconded by David Lyon to bring back to the table the applications of James & Hazel Washburn. Motion passed with 4 ayes. RETURNED TO TABLE

This application was discussed at length by the Board. Mr. Cook reported that Mr. Roney has received certified house plans and Mr. Washburn has submitted a signed statement which is a part of his file. Mr. Aplin commented on the procedures of the Board in regard to this matter and stated his reasons for objecting to the applications.

MOTION NO. 1982-0107 APPR. OF WASHBURN APPLICATIONS

Motion number: 1982 - 0107 Date: October 14, 1982
Motion by: Nelson Cook, seconded by David Lyon
Title: Approval of Washburn Application # 82-208 and Building Permit Application # 82-243

Resolved, that the Town Board of the Town of Palmyra approve (1) the application of James & Hazel Washburn to renew authorization for use of a Mobile Home as a residence while constructing a house and (2) the application for a Building Permit - both for a period of 8 months - valid until June 30, 1983. This approval was granted on terms included in the signed statement addressed to Nelson Cook, dated October 13, 1982, which is a part of the file of both applications.

Motion passed with 3 ayes and 1 no, Roy Aplin voting no.

ECONOMIC DEVELOP. COMM.

Economic Development Committee - Roy Aplin, Chairman

No report at this time.

TOWN BLDG. COMM.

Town Building Committee - David Lyon, Chairman

No report at this time.

OTHER BUSINESS

Other Business -

COURTROOM FACILITIES

(1) Courtroom Facilities

Mr. Lyon indicated that he is still collecting information in regard to this matter and had nothing further to report at this meeting.

APPLIC. FOR BINGO LICENSE (MOOSE)

(2) Application for Bingo License - Loyal Order of Moose - Palmyra Lodge # 1420

MOTION NO. 1982-0108 APPR. OF APPLIC. FOR BINGO LIC.

Motion number: 1982 - 0108 Date: October 14, 1982
Motion by: David Lyon, seconded by Nelson Cook
Title: Approval of Application for Bingo License (Moose)

Resolved, that the Town Board of the Town of Palmyra approve the Application of Palmyra Lodge # 1420 - Loyal Order of Moose for Bingo License # 14079 covering the period from October 25, 1982 to May 5, 1983.

Motion passed with 4 ayes.

DOG LEASE AGREEMENT

(3) Dog Lease Agreement

This matter was referred to the next meeting.

(4) Judicial Assignment - Communication # 1

JUDICIAL ASSIGNMENT MOTION NO. 1982-0109 APPR. OF TEMP. ASSIGN.

Motion number: 1982 - 0109 Date: October 14, 1982
Motion by: Nelson Cook, seconded by Edwin Wheeler
Title: Approval of Temporary Assignment of Judges

Resolved, that the Town of Palmyra, New York, County of Wayne has consented to the temporary assignment of its town justices to preside in other town courts in the Seventh Judicial District as need arises during the year 1983 and approved the temporary assignment of judges from other town courts in the Seventh Judicial District to its court as need arises during the year 1983 providing that the convenience of the Palmyra Justices who are part time is considered.

Motion passed with 4 ayes.

At this time, Town Councilman Edwin Wheeler expressed thanks to the East Palmyra Fire Department and its Auxiliary for hosting the Town Board meeting this evening.

MOTION TO ADJOURN

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

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
TOWN OF PALMYRA
NOTICE OF
PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will hold a Public Hearing at 8:00 P.M. on Thursday, October 28, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Geraldine Moses for Special Authorization to operate a Ceramic business in her home. These premises, located at 4090 North Creek Road in the Town of Palmyra, are situated in an Agricultural Zone and are bounded on the North by North Creek Road, on the West by lands of Edward Zaborowski, on the South by lands of the Penn Central Company and on the East by lands of Paul Evans.

Under the Town of Palmyra Zoning Ordinance, Article III, Section 3.2, Paragraph b, Agricultural Zone states: Use of land other than for Farm purposes requires Special Authorization from the Town Board. Special Authorization is subject to Article VII, Section 7.1 of the Zoning Ordinance.

The said Town Board will at said time and place hear all persons in support of said application or any objection thereto. Persons may appear in person or by attorney or agent.

Dated: October 8, 1982
By order of the
Town Board of the
Town of Palmyra
Betty B. Stubbings,
Town Clerk
(O-13)

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

Oct. 13, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 14th day of October 1982

Judith A. MacDuff
Notary Public

Fee: $16.47

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4738126
Expiration Date March 30, 1983

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
NOTICE OF
PUBLIC HEARING
TOWN OF PALMYRA

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will hold a Public Hearing on Thursday, October 28, 1982 at 8:30 P.M. in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Mario Morganti, 103 Cuyler Street, Newark, New York for Special Authorization to operate a Used Car Sales Office and Lot, including minor maintenance, on Route 31 (Palmyra-Newark Road) in the Town of Palmyra. These premises located at 5100 Palmyra-Newark Road (corner of Hanley Road) are situated in an Agriculture Zone and are bounded on the south by Car Ranch, Inc., on the East by Hanley Road and on the North and West by Route 31.

The Town of Palmyra Zoning Ordinance, Article III, Secton 3.2, Paragraph b, Agricultural Zone states: Use of land other than for farm purposes requires Special Authorization from the Town Board. Special Authorization is subject to Article VII, Section 7.1 of the Zoning Ordinance.

The said Town Board will at said time and place hear all persons in support of said application or any objection thereto. Persons may appear in person or by attorney or agent.

Date: October 15, 1982

By order of the Town Board of the Town of Palmyra

Betty B. Stubbings, Town Clerk

(102) (0-20)

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

Oct. 20, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 29th day of Oct 1982

Judith A. MacDuff
Notary Public

Fee: $ 16.78

JUDITH A. MacDUFF
Notary Public for the
State of New York County of Wayne
[illegible]
Expiration Date March 30, 1983

October 28, 1982

The Public Hearing scheduled to be held at 8:00 P.M. on Thursday, October 28, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consid r the Application of Geraldine Moses for Special Authorization to operate a Ceramics business in her home at 4090 North Creek Road in the Town of Palmyra was opened by Supervisor Aplin.

PUBLIC HRG. G. MOSES - SPEC. AUTHO CERAMICS BUSINESS

Those attending were: G.H. Lyons, Judy Cross, Mary Ellen Van Houte, Ron & Gerri Moses, Jack Churchill, Don Byrnes, Mario Morganti, Anthony DeStaffan, Mary Medoro and A. Hunt.

The Proof of Publication was read by the Clerk.

Supervisor Aplin asked for comments from anyone who wished to speak in favor of this application.

MaryEllen VanHoute questioned the purpose of the hearing and Supervisor responded by explaining the procedures to be followed as outlined in the Zoning Ordinance. Mrs. VanHoute then spoke in favor of Mrs. Moses holding ceramic classes in her home stating that the business is small, the hours are convenient, the classes are small, the operation is on a personal basis and Mrs. Moses is able to stay home to care for her children while supplementing her husband's income. Judy Cross, a neighbor of Mrs. Moses, also spoke in favor of this application, stating similar reasons as Mrs. VanHoute.

Supervisor Aplin questioned the hours this business would be open and Mrs. Moses responded that this would be a part-time business and she would expect that the hours would be daily Monday through Saturday 9:00 - 11:00 A.M. and one or two evenings a week - 7:00 - 9:00 P.M..

Letters from Mrs. Robert Hartman and Lucille Zaborowski who are neighbors of Mrs. Moses indicating their approval for this business, were read by the Clerk. The recommendations from the Planning Board were also read.

There being no other comments in favor of or opposed to this request, the Board along with Mr. Roney and Town Attorney Rubery discussed several points, such as - lot size, distance from the Road Right of Way to the front of the house, length of driveway, parking space (a major problem), the possibility of using neighboring property and storage of materials. The Board agreed that the parking is the major problem - it is a hazard in this area year round but worse in the Winter and, if this application is approved, a stipulation must be that there will be no parking on the Highway Right of Way. Following further discussion, the hearing was declared closed at 8:25 P.M. and the application was referred to Committee for consideration later during the regular meeting.

Following a brief recess, the Public Hearing scheduled to be held at 8:30 P.M. on Thursday, October 28, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Mario Morganti for Special Authorization to operate a Used Car Sales Office and Lot at 5100 Palmyra-Newark Road in the Town of Palmyra was opened by Supervisor Aplin.

PUB.HRG. MORGANTI SPEC.AUTH USED CAR SALES

The Proof of Publication was read by the Clerk.

Supervisor Aplin advised those present that this was Mr. Morganti's second application for Special Authorization to operate a Used Car Sales Office and lot - the first application having been denied.

Mr. Anthony DeStaffan, Attorney for Mr. Morganti, spoke to the Board concerning Mr. Morgant's re-applying for the Special Authorization. He stated that, following the denial of the first application, ere was a meeting with Board members and the Town Highway Superintendent. After the meeting, an alternate method was discussed for solving the parking problems.

Mr. DeStaffan advised the Board that Mr. Morganti was in the process of purchasing land which will be abandoned to the County by the State. This point was dis-

MORGANTI HEARING CONT'D

cussed at length with comments from Town Attorney PaulRubery on procedures in purchasing land in such cases. A map indicating property to be purchased was reviewed. Discussion continued covering such points as, maximum number of cars (6) - use of garage - customer parking and policing of same - and the monument business.

The recommendations of the Planning Board were read by the Clerk.

MOTION TO CLOSE HRG.

At 9:05 P.M., a motion was made by David Lyon, seconded by Edwin Wheeler to close the hearing and refer the application to Committee for consideration during the regular meeting. Motion passed with 5 ayes.

REG. MTG. OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled for Thursday, October 28, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order at 9:08 P.M. by Supervisor Aplin.

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

ROLL CALL

Upon Roll Call, the following Board members were present: Supervisor Aplin, Town Councilmen Nelson Cook, David Lyon, Donald Sinclair and Edwin Wheeler. Town Attorney Paul Rubery and Assessor/Zoning Officer Judson Roney were also in attendance.

MOTION TO APPR. MIN. OF 9/30/82

Following a review of minutes submitted for approval, a motion was made by Edwin Wheeler, seconed by David Lyon to approve as submitted the minutes of September 30, 1982. Motion passed with 5 ayes.

COMMUNICATIONS

Communications -

(1) Letter to the Town Board from Paul Rubery in regard to an Order granting Permanent Injunction (B. Hutter Violation). This Order and several other Zoning matters were discussed by the Board, along with Mr. Rubery and Mr. Roney.

(2) Letter from Cablevision Industries, Inc in regard to new pay service and rate - Showtime

(3) Notice from the Department of State in regard to the Filing of Local Laws # 1 and #2.

(4) Copy of a letter to Gary Rood from Paul Rubery concerning a Stipulation of Discontinuance in regard to the matter of the Application for a Judicial Review under Article 7 of the Real Property Tax Law of a Real Property Tax Assessment by ARP Development Corporation.

(5) Notice of a Chamber of Commerce meeting

(6) Application of Clara Rodman - Permission to place a second Mobile Home on property on Palmyra-Newark Road.

RESOLUTIONS FOR TRANS. OF FUNDS

Prior to a review of the Claims/Vouchers submitted for payment, the following Resolutions for Transfers of Funds were offered.

MOTION NO. 1982-0110 JUSTICES PERSONNEL TO CONTRACTUAL

Motion number: 1982 - 0110 Date: October 28, 1982

Motion by: David Lyon, seconded by Donald Sinclair

Title: Transfer of Funds - Justices - Contractual Expenses

WHEREAS, there are insufficient funds in the Justices Contractual Expenses Account A1110.4 due to purchase of stamps in the amount of $40.00 and,

WHEREAS, there are funds in the Justices - Personnel Services Account A1110.1,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of $40.00 from the Justices Personnel Services Account No. A1110.1 to the Justices Contractual Expenses Account A1110.4.

Motion passed with 5 ayes.

MOTION NO. 1982-0111 TN CLKS PERSONNEL TO CONTRACTUAL

Motion number: 1982 - 0111 Date: October 28, 1982

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Transfer of Funds - Town Clerk's Contractual Expenses

WHEREAS, there are insufficient funds in the Town Clerk's Contractual Expenses

Account No. A1410.4 due to purchase of office supplies in the amount of $34.35, and

WHEREAS, there are funds in the Town Clerk's Personnel Services Account A 1410.1, NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of $34.35 from the Town Clerk's Personnel Services Account A1410.1 to the Town Clerk's Contractual Expenses Account A1410.4.

MOTION NO. 1982-0111

Motion passed with 5 ayes.

Motion number: 1982 - 0112 Date: October 28, 1982

MOTION NO. 1982-0112

Motion by: Donald Sinclair, seconded by Edwin Wheeler

Title: Transfer of Funds - Buildings Contractual to Buildings Equipment

BLDGS. CONTR. TO EQUIPMENT

WHEREAS, there are no funds in the Budget for 1982 for Account A1620.2 - Buildings Equipment, and

WHEREAS, there is a bill presented from Sibley's for a Hoover Vacuum Cleaner in the amount of $179.99, and

WHEREAS, there are funds in the Account A1620.4 Buildings Contractual Expenses,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of $179.99 from Account A1620.4 Buildings Contractual Expenses to Account A 1620.2 Buildings Equipment.

Motion passed with 5 ayes.

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by David Lyon to approve payment of Vouchers as shown on Abstract # 10A. Motion passed with 5 ayes. The Vouchers were listed by Funds as follows:

MOTION TO PAY BILLS

ABSTR.#10A

Abstract # 10 A -

GENERAL FUND	Vouchers	#331-347	$2929.21
PART TOWN FUND	"	# 80- 83	169.33
FEDERAL REVENUE SHARING	"	# 23	10.68
HIGHWAY ITEM I	"	# 53-54	3941.44
HIGHWAY ITEM III	"	#172-178	675.81
HIGHWAY ITEM IV	"	# 40	531.41
SOUTH WATER DISTRICT	"	# 37	9.85
NORTH WATER DISTRICT	"	# 41	19.33
TOTAL			$8287.06

Reports of Standing Committees -

REPORTS OF COMM.

Highway Committee - Edwin Wheeler, Chairman

HWY. COMM.

(1) Requests for Speed Limits

Mr. Wheeler reported that the Town has received the Final(Official) Orders from the Department of Transportation for the reduced Speed limits on Stafford Road and the East Palmyra-Port Gibson Road.

Water Committee - David Lyon, Chairman

WATER COMM.

Nothing to report at this time.

Landfill Committee - Donald Sinclair, Chairman

LDFL. COMM.

Mr. Sinclair reported the everything is fine at the Landfill.

Cemeteries Committee - Donald Sinclair, Chairman

CEM. COMM.

Mr. Sinclair had nothing to report but Supervisor Aplin raised a question concerning the removal of leaves from Swift's Cemetery.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSESS., Pl & ZON. COMM

(1) Application of Geraldine Moses for Special Authorization - Ceramics Business

APPLIC. OF G. MOSES

The Board discussed at length this application, subject of a Public Hearing held earlier in the evening, and the following Resolution was offered.

Motion number: 1982 - 0113 Date: October 28, 1982

MOTION NO. 1982-0113

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Approval of Application of G. Moses for Special Authorization

APPR. OF MOSES APPLIC.

WHEREAS, Geraldine Moses has applied for a Special Authorization pursuant to Article VII of the Zoning Ordinance of the Town of Palmyra to conduct a ceramic shop and classes in her home at 4090 North Creek Road, Palmyra, New York as a

Home Occupation pursuant to Article I; and
WHEREAS, a public hearing was held on October 28, 1982, at 8:00 P.M. pursuant

MOTION NO. 1982-0113

to a notice duly published in the Town's official paper; and
WHEREAS, the Town Board received comments from Mary Ellen VanHoute and Judy Cross and Building Inspector Judson Roney, Geraldine Moses, and letters from Mrs. Robert Hartman and Lucille Zaborowski in favor of the granting of the proposed special permit; and

APPLICA. OF G.MOSES

CONT'D

WHEREAS, there was no one who spoke in opposition to the granting of said special permit; and
WHEREAS, the Planning Board of the Town of Palmyra recommended denial of the special permit application on the ground that there was not ample safe parking available; and
WHEREAS, Geraldine Moses represented that the entire business would be conducted in her home and that not more than three or four people would be present at any time and a neighbor suggested that she would allow use of her land for parking and that she would be glad to insure there was no parking in the highway right of way.

Nelson Cook made the following Resolution which was seconded by Edwin Wheeler and approved by four ayes and with Donald Sinclair abstaining because he was not present for the presentation by Geraldine Moses,
WHEREAS, the conduct of the business would be entirely within the premises and there would be no employees and it would appear that the granting of the special authorization would not have a detrimental effect on the neighborhood, and that conditions may be imposed which will insure the health and safety of the people of the Town of Palmyra,
BE IT RESOLVED, that the application for a special authorization be granted to Geraldine Moses at 4090 North Creek Road, Palmyra, New York, to operate a ceramic class and shop as a Home Occupation upon the following conditions which, if violated, would be the basis for revoking the special authorization, or at the option of the Town Board of the Town of Palmyra, would be a violation of the Zoning Ordinance of the Town of Palmyra and subject the applicant and the owners of the real property to prosecution or other legal action for said violation.

The conditions shall be:

1. There shall be no exterior storage of material or waste.
2. The entire business shall be conducted within the structure.
3. There shall be no parking of automobiles in front of the house used for the business or in front of the property on either side of the house used for the business within the confines of the public right of way. The public right of way in this case is within 15 feet of the front of the house being used for the business. There shall be no parking in the right of way of the road opposite the premises.
4. All cars will be parked in the driveway at 4090 North Creek Road within the confines of the property owned by Moses.
5. The applicant will comply with all other provisions of the:
   a) Zoning Ordinance of the Town of Palmyra
   b) New York State Building Code, including Electrical Code
   c) Fire Code of the State of New York
   d) Vehicle and Traffic laws of the State of New York
   e) All other applicable laws, rules and regulations of the State of New York, County of Wayne, and Town of Palmyra and/or agencies or divisions thereof.
6. The applicant will be responsible for policing the parking of her students and customers.
7. Said special authorization is personal to Geraldine Moses and is not transferable and does not run with the property.
8. The applicant will sign a copy of this special authorization which will signify receipt of the above authorization and the conditions contained therein and the understanding that a violation of any condition will subject her to a possible fine, legal action, and/or the revocation of the special authorization.

MOTION PASSED

Motion passed with 4 ayes - Donald Sinclair abstained.

(2) Application of Mario Morganti for Special Authorization
Used Car Sales Office and Lot

APPLIC. OF M. MORGANTI

The Board discussed Mr. Morganti's Application, subject of a Public Hearing earlier in the evening and the following Resolution was offered.

MOTION NO. 1982-0114

Motion number: 1982 - 0114 Date: October 28, 1982

Motion by: Nelson Cook, seconded by David Lyon

APPR. FOR SPEC. AUTHOR.

Title: Approval of Applicat[illegible] for Special Authorization - M. Morganti

WHEREAS, Mario Morganti has made an application pursuant to Article VII of the Zoning Ordinance of the Town of Palmyra to conduct a sales office for cars and to display not more than six used cars for sale on the premises located at the corner of Route 31 and Hanley Road in the Town of Palmyra in conjunction with a gun shop which is already operating at said location; and
WHEREAS, a public hearing was held on October 28, 1982, at 8:30 P.M. pursuant

to a notice duly published in the Town's official papers; and
WHEREAS, the Town Board received comments from Attorney Anthony J. DeStaffan appearing for Morganti, and Marion Morganti, and Judson Roney, Building Inspector; and

MOTION NO. 1982-0114
APPR. OF MORGANTI SPEC. AUTHO CONT'D

WHEREAS, there were no comments in opposition to the application, and
WHEREAS, the Planning Board recommended approval of the application provided that the parking along Hanley Road be parallel and abutting the existing gun shop and that the cars be displayed in an area approximately 30 feet southerly from the centerline of Hanley Road and approximately 100 feet easterly from the easterly right of way line of Route 31; and
WHEREAS, Mario Morganti represented that the parking would be parallel to his building on Hanley Road and he would enforce the parallel parking with his customers and that the monument works would be terminated and that he would acquire certain property in front of and adjacent to the property, if the special authorization were granted.
Nelson Cook made the following resolution which was seconed by David Lyon and approved by five "ayes":
WHEREAS, the new application of Mario Morganti would be severely restricted; and
WHEREAS, there are several commercial uses adjacent to the subject property so that the proposed use would not have a detrimental effect on adjacent property; and
WHEREAS, it is possible to impose conditions which will protect the safety, health, and general welfare of the public to eliminate previous concerns expressed about the safety for pedestrians and vehicle operators on Hanley Road and Route 31.
BE IT RESOLVED, that the application for a special authorization be granted to Mario Morganti for the property which he owns at the intersection of Hanley Road and Route 31 upon the following conditions, which if violated would be the basis for revoking the special authorization or, at the option of the Town Board of the Town of Palmyra, would be a violation of the Zoning Ordinance of the Town of Palmyra and subject the applicant and the owner of the real property to prosecution or other legal action for said violation.

The conditions shall be:

1. This special authorization is personal to Mario Morganti and is not transferable and does not run with the land.
2. The applicant will comply with all other provisions of the:
   a) Zoning Ordinance of the Town of Palmyra
   b) New York State Building Code
   c) Fire Code of the State of New York
   d) Vehicle and Traffic laws of the State of New York
   e) All other applicable laws, rules and regulations of the State of New York, County of Wayne, and Town of Palmyra and/or agencies or divisions thereof
3. The applicant will sign a copy of this special authorization which will signify receipt of the above authorization and the conditions contained therein and the understanding that a violation of any condition will be grounds for revoking the special authorization and/or subject the applicant or landowner to a possible fine and/or other legal actions, after appropriate legal proceedings*
4. The monument business presently conducted onsaid premises and in any part thereof will be terminated before commencement of the use authorized herein.
5. There shall be no parking in front of the building labeled "shop" or "garage" on the premises and that no automobiles shall be backed from garage without someone being located on Hanley Road to insure that the backing may be completed safely.
6. The garage or shop on said premises, which consist of two bays, will be used only for <u>minor repairs to vehicles owned by Mario Morganti and doll up</u> (no major repairs or body work will be permitted). The services of the garage shall not be open to the public and no gasoline shall be sold or stored on the premises.
7. Parallel parking for customers only shall be allowed along the "gun Shop location" abutting the gun shop building to a depth of a single car. The applicant shall erect signs informing the public and shall be responsible for enforcing this requirement with his customers, employees, and the general public.
8. The applicant shall create a separate parking lot for his employees and friends which is accessible only from the driveway off Hanley Road and will be at least 50 feet from the right of way line of Hanley Road behind the existing houses.
9. There shall be no exterior storage of material, equipment, parts, waste, or junk.
10. The applicant may place not more than six sample used cars on the premises in front of the gun shop on the premises, but not closer than 30 feet from the centerline of Hanley Road and not closer to Route 31 than 100 feet. The area so desig[illegible]ed will be south of the north line of the gun shop, so called, and n[illegible] closer to Route 31 than the front line of the southern most house on the premises (two houses in total).
11. The office for sales shall be within the confines of the existing structures on the premises, ie. the so-called "gun shop" and no other building or structures shall be placed on the premises.
12. The applicant will procure the land to be abandoned by the State

*added by Resolution of the Town Board - December 9, 1982

MORGANTI RESOLUTION CONT'D

of New York abutting Route 31 in front of said premises.

13. The applicant will maintain the premises in a clean and orderly manner, keeping the area neatly trimmed and mowed and shall keep it free from rubbish and trash or other waste material.

Motion passed with 5 ayes.

(3) 1982 Permit for Operation of Mobile Home Park-Morganti

M.H.PARK PERMIT MORGANTI

Mr. Cook reported that Zoning Officer Judson Roney has indicated that Mr. Morganti's Mobile Home Park now complies. The Permit has been held up until certain conditions were corrected.

MOTION NO. 1982-0115

FINAL APPR. MORGANTI 1982 M.H.PARK PERM.

Motion number: 1982 - 0115 Date: October 28, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Final Approval of 1982 Permit for Operation of Mobile Home Park

Resolved, that the Town Board of the Town of Palmyra grant Final Approval to Mario Morganti's 1982 Permit for the Operation of a Mobile Home Park in the Town of Palmyra.

Motion passed with 5 ayes.

PROP.L.L.#3

(4) Proposed Local Law # 3 - Amendment to Section 4 of Local Law # 2

The Proposed Local Law # 3 which amends Local Law # 2 Section 4 and establishes a penalty of $20 per day was discussed by the Board.

MOTION NO. 1982-0116

APPR. TO ADV. FOR PUB.HRG.

Motion number: 1982 - 0116 Date: October 28, 1982

Motion by: Nelson Cook, seconded by David Lyon

Title: Authorization to Advertise for Public Hearing on Proposed Local Law # 3 of 1982

Resolved, that the Town Board of the Town of Palmyra authorize the advertising of a Public Hearing to be held on Thursday, November 18, 1982 at 7:30 P.M. to consider Proposed Local Law # 3 of 1982 which amends Section 4 of Local Law # 2 of 1982 and establishes a penalty of $20 per day.

Motion passed with 5 ayes.

APPT. TO ZON. BD. OF APPEALS NO ACTION

(5) Appointment to Zoning Board of Appeals

Mr. Cook indicated he will submit a name at the next meeting.

MATTERS TABLED

(6) Matters tabled -

(a) Gordon Wheeler matter - not taken off the table

APPLIC. OF C. RODMAN

(7) Application of Clara Rodman - Permission to place a second mobile home on property on Palmyra-Newark Road.

MOTION NO. 1982-0117

APPR. TO ADV. C. RODMAN

Motion number: 1982 - 0117 Date: October 28, 1982

Motion by: Nelson Cook, seconded by David Lyon

Title: Approval to advertise for Public Hearing - C. Rodman

Resolved, that the Town Board of the Town of Palmyra authorize the advertising for a Public Hearing to be held on Thursday, November 18, 1982 at 7:45 P.M. to consider the application of Clara Rodman for permission to place a second mobile home on property at 4387 Palmyra-Newark Road in the Town of Palmyra.

Motion passed with 5 ayes.

ECON. DEV.

Economic Development Committee - Roy Aplin, Chairman

Nothing to report.

TN. BLDG.

Town Building Committee - David Lyon, Chairman

Nothing to report.

OTHER BUSINESS

Other Business -

DOG LEASE AGREE.

(1) Dog Lease Agreement

Supervisor Aplin reported that he hasn't been able to contact the Dog Control Officer as yet in regard to this matter.

ALLOCATION OF REV.SHAR.FUNDS

(2) Allocation of General Revenue Sharing Funds for 1983

MOTION NO. 1982-0118

Motion number: 1982 - 0118 Date: October 28, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Allocation of General Revenue Sharing Funds for 1983 MOTION NO.

WHEREAS, a Public Hearing was held on the proposed use of the General Revenue 1982-0118

Sharing Funds, estimated to be in the amount of $38,980 for 1983, and

WHEREAS, the Town Board has reviewed the Proposed uses for these funds and a Public Hearing will be held on November 4, 1982 on the Actual use of these funds, ALLOC. OF GEN. REV. SHAR. FUNDS 1983

NOW THEREFORE BE IT RESOLVED, that the General Revenue Sharing Funds in the amount of $38,980 for 1983 be allocated as follows:

Palmyra Community Center	$16,500
Sanitary Landfill	$10,000
Town Building Renovations	$12,480

Motion passed with 5 ayes.

(3) Purchase of a New Voting Machine PURCHASE OF VOT. MACH.

Supervisor Aplin reported that the Voting Machine Custodians have made recommendations to the Town Board that a new Voting Machine is needed to replace an obsolete Voting Machine now being used in District # 3. The custodians also recommended, because of better storage conditions in the Town Office, that the new machine be used in District # 4 (Town Office) and the present machine in District # 4 be moved to District # 3.

Motion number: 1982 - 0119 Date: October 28, 1982 MOTION NO.

Motion by: Edwin Wheeler, seconded Donald Sinclair 1982-0119

Title: Approval to Purchase a New Voting Machine APPR. TO PURCH. VOT. MACHINE

WHEREAS, the Voting Machine Custodians of the Town of Palmyra have indicated the need for a new Voting Machine and recommend that a new Voting Machine be purchased to replace an obsolete machine,

BE IT RESOLVED, that the Town Board of the Town of Palmyra authorize the purchase of a new Voting Machine from the AVM Corporation of Jamestown, New York at a cost of $2900, plus delivery charges - said machine to be ordered immediately.

Motion passed with 5 ayes.

(4) Change in meeting nights for November CHANGE IN MTG. NIGHTS (NOV)

Following a discussion on the advantages of making a change in the meeting nights of the Town Board for the month of November, a motion was made by David Lyon, seconded by Nelson Cook to move the regular meeting of the Town Board scheduled for Thursday, November 11th to Thursday, November 18th and to cancel the meeting scheduled for November 23rd. MOTION TO CHANGE MTG. NIGHTS IN NOVEMBER

Motion passed with 5 ayes.

Mr. Judson Roney reminded the Board that the Division Street Drainage Problem was tabled a while back and inquired if the Board was intending to continue with this matter. Town Councilman Wheeler responded that a letter was sent to the resident who requested some information and the Board is continuing to try to resolve this problem. DIV. ST. DR. PROB.

At this time, a motion was made by Nelson Cook, seconded by David Lyon to go into an Executive session to discuss the Gordon Wheeler matter. Motion was passed with 5 ayes. MOTION TO HOLD EXEC. SESSION

The motion to return to the regular session was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes. MOTION TO RET. TO REG MTG.

Motion number: 1982 - 0120 Date: October 28, 1982 MOTION NO.

Motion by: Donald Sinclair, seconded by David Lyon 1982-0120

Title: Authorization for Town Atto... to send letter to Gordon Wheeler's Attorney

Resolved, that the Town Board of the Town of Palmyra authorize Town Attorney Paul Rubery to send a letter to Gordon Wheeler's attorney, Anthony Villani, advising of the Board's decision that Mr. Wheeler must terminate this matter by November 18th or be subject to fine according to the Rules and Regulations of the Zoning AUTHOR. TO SEND LETTE

Ordinance and Mobile Home Ordinance of the Town of Palmyra. Motion passed with 5 ayes.

MOTION TO ADJOURN TO NOV. 4th

The motion to adjourn this meeting to Thursday, November 4th, immediately following the Public Hearing on the Preliminary Budget was offered by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes.

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

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

NOTICE OF PUBLIC HEARING UPON PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN that the Preliminary Budget of the Town of Palmyra for the Fiscal year beginning January 1, 1983 has been completed and filed in the Office of the Town Clerk, 201 East Main Street, Palmyra, New York, where it is available for inspection by any interested person at all reasonable hours.

Further notice is hereby given, that the Town Board of the Town of Palmyra will meet and review said Preliminary Budget and hold a Public Hearing thereon, in the T[illegible] 201 East Ma[illegible] Palmyra, New Y[illegible] P.M. on the 4[illegible] November, 1982 and that at such hearing any person may be heard in favor of or against the Preliminary Budget [illegible]

[illegible] following Town Officers are hereby specified as follows: Supervisor $6900; Town Justices (each) $4700; Town Councilman (each) $1700; Town Clerk $6900; Superintendent of Highways $20750; Tax Collector $2275; Budget Officer $500.

Dated October 27, 1982
By order of the Town Board of the Town of Palmyra
Betty B. Stubbings,
Town Clerk
[illegible]

......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 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:

Nov. 3, 1982

Rosalie J. Moulton
Foreman of the Publisher

Subscribed and sworn to before me

this 12th day of Nov, 1982

Judith A. MacDuff
Notary Public

Fee: $16.78

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4735126
Expiration Date March 30, 1983

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
TOWN OF PALMYRA
NOTICE OF
PUBLIC HEARING
GENERAL REVENUE
SHARING FUNDS

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will hold a Public Hearing in the Town Office, 201 East Main Street, Palmyra, New York at 7:30 P.M. on Thursday, November 4, 1982 on the Actual Use of any General Revenue Sharing Funds for the calendar year 1983.

General Revenue Sharing Funds are estimated to be in the amount of $30,980 for the year 1983 with budgeted use of $18,500 for the Palmyra Community Center, $10,000 for the Sanitary Landfill and $12,480 for Renovation and Municipal Building Facilities.

All interested persons will be given the opportunity to be heard.

Dated: October 25, 1982
By order of the Town Board of the Town of Palmyra
Betty B. Stubbings,
Town Clerk
(112) (027)

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

........Oct. 27, 1982........

....

....

....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 29th day of Oct 1982.

Judith A. MacDuff
Notary Public

Fee: $ 11.29

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1983

November 4, 1982

PUBLIC HEARING OPENED

GEN. REV. FUNDS-ACTUAL USE

The Public Hearing scheduled to be held at 7:30 P.M. on Thursday, November 4, 1982 in the Town Office, 201 East Main Street, Palmyra, New York on the Actual Use of any General Revenue Sharing Funds for the calendar year 1983 was opened at 7:35 P.M. by Supervisor Aplin with Town Councilmen Donald Sinclair, Nelson Cook and David Lyon, Town Justice Albert Hunt and C. Lyons in attendance.

The Proof of Publication (Legal Notice) was read by the Clerk and said notice indicated that General Revenue Sharing Funds are estimated to be in the amount of $38,980 for the year 1983 with budgeted use of $16,500 for the Palmyra Community Center, $10,000 for the Sanitary Landfill and $12,480 for Renovation and Municipal Building Facilities.

HRG. CLOSED

Supervisor Aplin requested comments in regard to these funds. There being none, the hearing was declared closed at 7:40 P.M. by Supervisor Aplin.

PUBLIC HEARING OPENED

PRELIM. BUDGET

The Public Hearing scheduled to be held at 7:45 P.M. on Thursday, November 4, 1982 in the Town Office, 201 East Main Street, Palmyra, New York on the Preliminary Budget of the Town of Palmyra for the Fiscal year beginning January 1983 was opened by Supervisor Aplin.

The Proof of Publication was read by the Clerk.

Supervisor Aplin requested comments concerning the 1983 Budget from those present but there was no response. Mr. Aplin spoke briefly concerning the Budget, stating that the Board worked hard and spent many hours to come up with a good Budget for 1983. The amount of taxes to be raised, compared to last year, is up $14,000 (5%) over last year. There is an increase of $.05 per thousand in the Tax rate for the Town and an increase of $.19 per thousand in the Tax rate for the Village. Mr. Aplin also recommended that any surplus in the future be allocated to the Landfill Account and the Highway Machinery Account.

HRG. CLOSED

Supervisor Aplin declared the hearing closed at 7:50 P.M..

REG. MTG. OPENED

The regular meeting of the Town Board of the Town of Palmyra adjourned from October 28th was re-opened at this time by Supervisor Roy Aplin.

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

ROLL CALL

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

COMMUNICATIO

Under Communications, the Clerk advised the Board of a memo from the U.S. Corps of Engineers and the NYS Dept. of Trnasportation - Barge Canal Division in regard to the maintenance dredging of the Canal for 1982 between Tonawanda and Rome.

REVIEW OF ABSTR. 10B & 11

MOTION TO PAY BILLS

Following a review of the Claims/Vouchers submtted for payment, a motion was made by Nelson Cook, seconded by David Lyon to approve payment of Vouchers as shown on Abstract # 10B and # 11. Motion passed with 4 ayes. The Vouchers were listed by Funds as follows:

ABSTRACT # 10 B -

GENERAL FUND	Vouchers #348-349	$7724.12
PART TOWN FUND	" # 84- 85	149.64
HIGHWAY ITEM I	" #55	472.01
NORTH WATER DISTRICT	" # 42- 43	57.88
SOUTH WATER DISTRICT	" # 38- 39	28.01
EAST WATER DISTRICT	" # 43- 44	7.47
TOTAL		$8439.13

ABSTRACT # 11 -

GENERAL FUND	Vouchers #350-392	$3466.83
PART TOWN FUND	" # 86- 87	23.05
FEDERAL REVENUE SHARING FUNDS	" # 24	11.29
HIGHWAY ITEM III	" #179-182	3881.24
TOTAL		$7382.41

COMM. REPORTS
Reports of Standing Committees -

HWY. COMM.
Highway Committee - Edwin Wheeler, Chairman

No report at this time.

WATER COMM.
Water Committee - David Lyon, Chairman

Nothing to report at this time.

LANDFILL COMM.
Landfill Committee - Donald Sinclair, Chairman

The Clerk requested some directions in regard to ordering tickets for the Landfill and following a brief discussion, was advised to order 2000 tickets.

CEMETERIES COMM.
Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

ASSESS., PL & ZON.
Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

(1) Appointment to Zoning Board of Appeals

MOTION NO. 1982-0121 ZON. BD. APPT.

Motion number: 1982 - 0121 Date: November 4, 1982

Motion by: Nelson Cook, seconded by David Lyon

Title: Appointment to Zoning Board of Appeals

Resolved, that the Town Board of the Town of Palmyra approve the appointment of Robert Knapp as a member of the Zoning Board of Appeals for the Town of Palmyra for a term of 5 years.

Motion passed with 4 ayes.

ECONOMIC DEV. COMM.
Economic Development Committee - Roy Aplin, Chairman

No report at this time.

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

Nothing to report at this time.

Returning briefly to business under the Water Committee, Mr. Lyon advised the Board members that the Village is seeking a Small Cities Grant for a Water Storage tank. This matter will be considered in conjunction with a Village/Town Water System.

Referring to a Zoning matter, Councilman Lyon spoke concerning a letter from Town Attorney Paul Rubery in regard to a change in the Findings on Mario Morganti's Application for a Special Authorization.

Mr. Lyon also advised the Board that the Town has received an offer from John DeTaeye for sidewalk shoveling which he will check into.

OTHER BUSINESS
Other Business -

DOG LEASE AGREEM.
(1) Dog Lease Agreement

Supervisor Aplin hasn't been able to contact Dog Control Officer Harold Fisher as yet.

RECESS
At 8:07 P.M., a motion was made by Donald Sinclair, seconded by Nelson Cook to declare a 5 minute recess. Motion passed with 4 ayes.

MTG. RE-OPENED
The meeting was re-opened and the Preliminary Budget for 1983, subject of a Public Hearing earlier in the meeting, was discussed by the Board. Following the discussion, a resolution was offered for the Board's consideration.

MOTION NO. 1982-0122 BUDGET ADOPTED

Motion number: 1982 - 0122 Date: November 4, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Adoption of Budget for 1983

Resolved, that the Town Board of the Town of Palmyra adopt the Budget of the Town of Palmyra for the Fiscal year of 1983 as presented at the Public Hearing held at 7:45 P.M. on Thursday, November 4, 1982.

Motion passed with 4 ayes.

MOTION TO ADJOURN
The motion to adjourn this meeting was made by Donald Sinclair, seconded by Nelson Cook and passed with 4 ayes.

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

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

[illegible]
TOWN OF PALMYRA
NOTICE OF
PUBLIC HEARING
PLEASE TAKE NOTICE that the Town Board of the Town of Palmyra will hold a Public Hearing on Thursday, November 18, 1982 at 7:30 P.M. in the Town Office, 201 East Main Street, Palmyra, New York to consider Proposed Local Law #3 of 1982 which amends Section 4 of Local Law #2 of 1982 "Inspection of all Electrical Installations or Alterations" by adding a penalty of $20.00 per day for each day the Violation of Local Law #2 shall continue.
A copy of Proposed Local Law #3 of 1982 is on file in the Town Clerk's Office for any interested persons to review prior to the Public Hearing.
Dated: November 1, 1982
By order of the Town Board of the Town of Palmyra
Betty B. Stubbings
[illegible]
(12) [illegible]

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:

Nov. 3, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 12th day of Nov., 19 82

Judith A. MacDuff
Notary Public

Fee: $10.07

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736120
Expiration Date March 30, 1983

[redacted]

AFFIDAVIT OF PUBLICATION

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

NOTICE IS HEREBY GIVEN that the Budget of the town of Palmyra for the fiscal year 1983 as presented by the Town Board at the Public Hearing held on November 4, 1982 was adopted by Resolution of the Town Board of the Town of Palmyra at their meeting held on November 4, 1982.

Dated: November 12, 1982
Betty B. Stubbings
Town Clerk
Town of Palmyra
(132) (Nov. 17)

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:

Nov. 17, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 22nd day of Nov 1982

Judith A. MacDuff
Notary Public

Fee: $5.49

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4735126
Expiration Date March 30, 1983

The Public Hearing scheduled to be held at 7:30 P.M. on Thursday, November 18, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider Proposed Local Law # 3 of 1982 which amends Section 4 of Local Law # 2 of 1982 - Inspection of All Electrical Installations or Alterations - by adding a penalty of $20 per day for each day the violation of Local Law # 2 shall continue - was opened by Supervisor Aplin. PUB. HRG. OPENED L.L.#3

The Proof of Publication was read by the Clerk.

Supervisor Aplin requested comments concerning this Proposed Local Law from those present. Hearing none, the Public Hearing was declared closed. HRG. CLOSED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, November 18, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order at 7:35 P.M. by Supervisor Aplin. REG. MTG. OPENED

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

Upon Roll Call, the following Board members were present: Supervisor Roy Aplin, Town Councilmen Nelson Cook, Donald Sinclair and Edwin Wheeler. Councilman David Lyon had notified the Clerk he would be joining the meeting later. ROLL CALL

Others attending or those having business to come before the Board were: Assessor/Zoning Officer Judson Roney, G. Lyons, of the Courier-Journal, Clara Rodman, Esther Gleason, George & Dorothy Leitch.

Following a review of the minutes submitted for approval, a motion was made by Edwin Wheeler, seconded by Donald Sinclair to approve as submitted the minutes of the October 14th meeting. Motion passed with 4 ayes. MOTION TO APPR. MIN 10/14/82

Communications -

No communications were presented at this time.

The following Resolutions for Transfer of Funds were offered for the Board's consideration: TRANS. OF FUNDS

Motion number: 1982 - 0123 Date: November 18, 1982 MOTION NO 1982-0123

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds - Supervisor's Contractual Expenses

WHEREAS, there are insufficient funds in the Supervisor's Contractual Expenses Account No. A 1220.4 due to the amount of $42.83 for the telephone bill, and SUPERVISOR CONTRACT.

WHEREAS, there are funds in the Supervisor's Personnel Services Account No. A 1220.1,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of $42.83 from the Supervisor's Personnel Services Account No. A 1220.1 to the Supervisor's Contractual Expenses Account No. A 1220.4.

Motion passed with 4 ayes.

Motion number: 1982 - 0124 Date: November 18, 1982 MOTION NO. 1982-0124

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds - Justices Contractual Expenses

WHEREAS, there are insufficient funds in the Justices Contractual Expenses Account No. A 1110.4 due to purchase of a stapler in the amount of $4.89 and the costs for a Court Stenographer in the amount of $29.40, and JUSTICES CONTRACT.

WHEREAS, there are funds in the Justices Personnel Services Account No. A 1110.1,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of $34.29 from the Justices Personnel Services Account No. A 1110.1 to the Justices Contractual Expenses Acount No.A1110.4

Motion passed with 4 ayes.

MOTION TO PAY BILLS

Following a review of the Claims/Vouchers submitted for payment, a motion to approve payment of the Vouchers as shown on Abstract # 11A was made by Nelson Cook, seconded by Donald Sinclair and passed with 4 ayes. The Vouchers were listed by Funds as follows:

Abstract # 11 A -

ABSTRACT # 11 A

GENERAL FUND	Vouchers	#393-416	$ 2881.48
PART TOWN FUND	"	# 88- 89	269.46
HIGHWAY ITEM I	"	# 56- 57	6946.99
HIGHWAY ITEM III	"	#183-195	4957.97
HIGHWAY ITEM IV	"	# 41- 43	4318.99
EAST WATER DISTRICT	"	# 45- 46	27.78
TOTAL			$19402.67

REPORTS OF COMMITTEES

Reports of Standing Committees -

Highway Committee - Edwin Wheeler, Chairman

HWY. COMM.

Mr. Wheeler indicated he had nothing to report at this time.

BRIDGES

Supervisor Aplin spoke briefly on the status of the bridges (Harrison's Mill and Galloway) and reported that there will be a meeting of the Wayne County Highway Committee on December 6th at which time the County Attorney and the Palmyra Town Attorney will be in attendance. It is hoped that the legalities involved with these projects will be resolved at this meeting.

LDFL. COMM.

Landfill Committee - Donald Sinclair, Chairman

Nothing to report at this time.

PUBLIC HRG. OPENED

RODMAN APPLIC.

The Public Hearing scheduled to be held at 7:45 P.M. on Thursday, November 18, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Clara Rodman for permission to place a second Mobile Home on property at 4387 Palmyra-Newark Road in the Town of Palmyra, a variance to the Town of Palmyra Mobile Home Ordinance, Article 2, was opened by Supervisor Aplin.

The Proof of Publication was read by the Clerk.

Supervisor Aplin requested comments or statements from anyone who was in favor of this application. Mrs. Rodman came forward at this time to speak on her own behalf and stated that she would like to be granted the Variance.

DISCUSSION

Mr. Aplin asked Mrs. Rodman to verify that the second trailer had been placed on her property in June and that she planned to rent it. Mrs.Rodman stated that she intended to use the second trailer as an addition to her present living quarters for storage and a guest room - the heat, water, electricity is connected from the original trailer. Mrs. Rodman also stated that next year she might have to rent it in order to add to her income. Mr. Aplin questioned the place of the addition and spoke to Mrs. Rodman in regard to the second trailer (8'x26') as a complete unit versus a request to add an extra room. Councilman Sinclair spoke at length with Mrs. Rodman concerning her request and he questioned along with Councilman Wheeler her reasons for not applying for the Variance prior to placing the trailer on her property. Councilman Cook questioned the size of the present trailer which led to a discussion involving Mrs. Rodman, Mr. Cook and Mr. Roney. It was established there is a 40' trailer (either 8' or 12' wide) with a shed, carport and patio, plus the second trailer. Mr. Sinclair spent considerable time explaining the Mobile Home Ordinance and Zoning Ordinance to Mrs. Rodman and the difficulties the Board has been having with this kind of problem. Mrs. Rodman stated that she hoped the Board would allow her to ve the second trailer - she indicated that she has money and a lot of hard work invested in it with more work to be done and didn't know what she would do if the Board refuses her application. Mr. Cook questioned the point of Mrs. Rodman intending to rent the second trailer and Mrs. Rodman responded that she won't be able to rent it now as it's too late to finish the work this year. Further discussion followed con-

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 at 7:45 P.M. on Thursday, November 18, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Clara Rodman for permission to place a second Mobile Home on Property at 4387 Palmyra Newark Road in the Town of Palmyra. This request [illegible]
[illegible] of Palmyra Zoning Ordinance, Article III, Section 3-1[illegible]. These premises located at 4387 Palmyra Newark Road in the Town of Palmyra are bounded on the North by lands of George & Dorothy Lerch, on the East by lands of the Barge Canal, on the South by lands of Robert & Elizabeth Metz and on the West by the Highway, Route 31.
The said Town Board will at said time and place hear all persons in support of said application or any objection thereto. Persons may appear in person or by agent.
[illegible] November [illegible], 1982
[illegible] of the Town [illegible] Town of [illegible]
[illegible] Stubbings [illegible]

......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:

Nov. 3, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 12th day of Nov., 19 82

Judith A. MacDuff
Notary Public

Fee: $15.25

JUDITH A. MacDUFF
Notary Public for the
State of New York County of Wayne
#736126
Expiration Date March 30, 1983

cerning such points as, the original trailer being pre-existing, the septic system, the rental of the second trailer which would make this a Commercial venture and a suggestion that Mrs. Rodman should seek legal counsel.

Town Councilman David Lyon joined the meeting at this time.

DISCUSSION ON RODMAN APPLICATION CONT'D

The discussion with Mrs. Rodman continued with Councilman Wheeler stating that this second trailer on Mrs. Rodman's property creates a Mobile Home Park situation under the regulations of the Mobile Home Ordinance. Mrs. Rodman questioned this point stating that the second trailer is not a separate unit but it is a part of her home. Again, Mr. Wheeler advised Mrs. Rodman that she should seek counsel.

At this time, George Leitch, a neighbor of Mrs. Rodman came forward to state his objections to having 2 mobile homes on property next to his.

Supervisor Aplin spoke of the Town's policy to approve replacement of pre-existing trailers but that situation doesn't apply in this case.

Mrs. Leitch also came forward to voice objections to the looks of the 2nd trailer, the lack of a septic system and skirting around the trailer. She also indicated there had been a sign out front advertising a Room for Rent.

The Board discussed this request further and the Clerk read the following recommendations from the Planning Board:

"At the regular Planning Board meeting of 9 November 1982, the Planning Board unanimously decided to recommend to the TownBoard to deny Mrs. Rodman's request for an additional trailer 8' x 26' adjacent to her existing trailer on her lot.

The Planning Board's reasons for denial are as follows:

1. This is not permitted under the Mobile Home Ordinance.
2. There are no additional approved sanitary facilities put in which are required by the Ordinance.
3. The one lot which both trailers are on is not large enough.
4. The size of the additional trailer (206 sq. ft.) is not adequate for living quarters.
5. Mrs. Rodman is extending a non-conforming use.

HEARING CLOSED

The hearing was closed at 8:20 P.M. and Mrs. Rodman's application was referred to Committee.

REG. MTG. RE-OPENED

The regular meeting of the Town Board resumed and continued with Reports of Standing Committees.

Highway Committee - Continued

HWY. COMM. CONT'D

Division Street Drainage Problem

Mr. Wheeler reported that he had discussed this matter with Board members, Town Attorney Rubery and Judson Roney and the recommendations indicated that the Board should consider giving the Town Attorney authority to draft a letter to advise residents of procedures involved in establishing a Drainage District as this is a private problem involving the West side of Division Street. A lengthy discussion followed with Councilman Wheeler and Cook explaining how this problem started and what has been done up to this point. Mr. Wheeler also referred to a letter of 9/10/1980 from Hershey, Malone Associates, Town Engineers relating to this matter. The conditions of the septic systems in this area were considered in the discussion and a suggestion was made that perhaps separate perc tests of each system should be made. Mr. Wheeler indicated that he didn't feel this was a Highway matter and Mr. Sinclair agreed by stating that this should be considered a Health matter and referred to the Health Officer or some action should be taken by the Town Board acting as the Board of Health. Following further discussion, it was decided that the Board would meet Saturday, November 20th at 9:00 A.M. in the Town Office, then will go to review the area in question.

DIVISION STREET DRAINAGE PROBLEM

Vienna Street Re-Construction

VIENNA ST. RE-CONST.

Supervisor Aplin referred to some correspondence from Lazier Engineers who are Engineers for the Village of Palmyra, concerning the re-construction of Vienna Street and Mr. Wheeler read a letter of 11/9/82 concerning the same project. Mr.

DIVISION ST. DRAIN-AGE DISC. CONT'D

Wheeler felt the Chairman of the Water Committee as well as the Town Attorney and the Town Engineer should be involved with this project. A motion was made by Nelson Cook, seconded by David Lyon to refer this correspondence to the Town Engineer, Hershey, Malone & Associates for their recommendations. Motion passed with 5 ayes.

Water Committee - David Lyon, Chairman

WATER COMM.

Mr. Lyon indicated he expects to have a proposal at the next meeting for the Proposed Extension to the East Water District.

Cemeteries Committee - Donald Sinclair, Chairman

CEMETERIES COMM.

REQUEST FROM MORMONS

Mr. Sinclair reported that he had received a call from Ralph Ingold, Grounds-keeper for the Church of Latter Day Saints, advising that the LDS Church is historically interested in Swift's Cemetery and would like to install a memorial plaque at the Swift's Cemetery. Mr. Ingold also questioned the possibility of his crew being responsible for maintaining that cemetery. Councilman Sinclair informed Mr. Ingold that he felt the Board would be cooperative in this effort.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSESS., PL. & ZON. COMM.

PROP. LOL.#3

(1) Proposed Local Law # 3 - 1982 - to amend Section # 4 of Local Law # 2 - 1982

This Local Law was the subject of a Public Hearing earlier in the meeting. The following Resolution was offered for the Board's consideration.

MOTION NO. 1982-0125

Motion number: 1982 - 0125 Date: November 18, 1982

Motion by: Nelson Cook, secondäd by Donald Sinclair

Title: Adoption of Local Law # 3 - 1982

ADOPTION OF L.L #3

RESOLVED, that the Town Board of the Town of Palmyra adopt Local Law # 3 of 1982 amending Local Law # 2 - 1982 - Inspection of All Electrical Installations or Alterations. This Local Law reads as follows:

> A Local Law amending Local Law # 2 for the year 1982 by adding and inserting a penalty for a violation of LocalLaw # 2 in Section 4 thereof to read as follows:
> 1. Section 4 - A violation of this Local Law shall, in addition to all other remedies and rules and regulations, subject violators to a penalty of $20.00 per day for each day the violation shall continue.
> 2. This Local Law shall take effect on its filing with the Secretary of State.

Motion passed with 5 ayes.

C. RODMAN APPLIC.

(2) Application of Clara Rodman for permission to place a 2nd Mobile Home on property on Route 31 - subject of a Public Hearing earlier in the meeting.

A motion was made by Nelson Cook, seconded by Donald Sinclair to table the decision on Mrs. Rodman's application until the December 9th meeting. Motion passed with 4 ayes - David Lyon abstained as he was not in attendance for the Public Hearing.

WHEELER MATTER

(3) Gordon Wheeler matter - left on the table.

(4) Agricultural District # 4

AGRIC.DIST.# 4

Material from the County in regard to the review of Agricultural District # 4 was presented for the Board's information and the Clerk read the following recommendations from the Planning Board:

> "It is recommended that the renewal of Agricultural District # 4 be approved by the Town Board. However, the Town Board should be mindful of the fact that renewal of the Agricultural District will have an effect upon their ability to finance the extension of water districts into such areas as East Palmy Maple Avenue in the area of the Klinsing Sub-Division, and the Sta...rd area."

Mr. Lyon explained possible effects of an Agricultural District in regard to future expansion, specifically, Water supply. Possible future expansion areas were discussed. Mr. Roney reviewed the discussion which took place during the meeting of the Planning Board. Mr. Cook also spoke of the exclusions which should be requested if/when the Town makes a decision concerning a Town Water System. Mr. Cook indicated he would try to attend the December Planning Board meeting. AG. DIST#4 CONT'D

(5) Application for Financial Assistance in Administering the Building and Fire Codes APPLIC. FOR FIN. AID RE BLDG. & FIRE CODES

Supervisor Aplin read a letter concerning this financial aid being offered by the State to those communities who have adopted the Building and Fire Codes. Mr. Aplin stated that he has checked with the Town Attorney and the Zoning Officer and has done some research. The first payment will be made in March 1983. A motion was made by Nelson Cook, seconded by Donald Sinclair to authorize the Supervisor to sign the necessary papers for the Town of Palmyra to received financial aid in administering the Building and Fire Codes. Motion passed with 5 ayes. MOTION TO AUTHOR. SIGN. OF SUPER.

Economic Development Committee - Roy Aplin, Chairman ECONOM. DEV. COMM.

Nothing to report at this time.

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

No report at this time.

Other Business - OTHER BUSIN.

(1) Dog Lease Agreement DOG LEASE AGREEMENT

Mr. Aplin reported he will meet with Town Attorney Rubery and Dog Control Officer Harold Fisher in regard to this matter.

Councilman Lyon raised the question of a Dog Enumeration for this year. A brief discussion followed but no action was taken.

(2) Purchase of Copier PURCHASE OF COPIER

Councilman David Lyon reviewed along with the Board members, the study and compilation of facts done by Judson Roney on copy machines. This information was discussed at length and the following Resolution was offered for the Board's consideration.

Motion number: 1982 - 0126 Date: November 18, 1982 MOTION NO. 1982-0126

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Approval to Purchase Copiers APPR. TO PURCHASE 2 XEROX COPIER

RESOLVED, that the Town Board of the Town of Palmyra approve the purchase of 2-660 - 1 Copiers from the Xerox Corporation - one copier to be in the Court Room on the second floor and one copier to be in the Town Clerk's Office on the main floor of the Town Office Building.

Motion passed with 5 ayes.

The Board expressed their thanks to Mr. Roney for the investigation and summary which he did concerning the copiers.

(3) Purchase of Typewriter for Town Clerk's Office PURCHASE OF TYPEWRITER

Motion number: 1982 - 0127 Date: November 18, 1982 MOTION NO. 1982-0127

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Approval to Purchase Typewriter APPR. TO PURCHASE TYPEWRITER

RESOLVED, that the Town Board of the Town of Palmyra approve the purchase of a Silver Reed Typewriter from Rene' Heckler, Inc. for the State Bid Price of $685.00.

Motion passed with 5 ayes.

(4) Appointment of Deputy Town Clerk APPT. OF DEP. TN. CLK.

Due to the illness of Deputy Town Clerk Virginia Wilson, the Town Clerk found it necessary to appoint a third Dep , for the remainder of the calendar year and submitted the name of Judith McIntyre.

Motion number: 1982 - 0128 Date: November 18, 1982 MOTION NO. 1982-0128

Motion by: David Lyon, seconded by Edwin Wheeler

Title: Approval of Appointment of Deputy Town Clerk APPR. OF APPT

MOTION NO. 1982-0128 CONT'D

RESOLVED, that the Town Board of the Town of Palmyra approve the appointment of Judith McIntyre as third Deputy Town Clerk for the Town of Palmyra for the remainder of the calendar year 1982 - the fiscal year of the Town of Palmyra.
Motion passed with 5 ayes.

(5) Appointment of Deputy Bookkeeper

APPT. OF DEP. BKKPR.

Due to the illness of Bookkeeper Virginia Wilson and the need for the services of a Bookkeeper, Mr. Aplin advised the Board that he had contacted Judith McIntyre who was willing to work temporarily as a Deputy Bookkeeper.

MOTION NO. 1982-0129

Motion number: 1982 - 0129 Date: November 18, 1982
Motion by: Donald Sinclair, seconded by Edwin Wheeler
Title: Approval for Appointment of Deputy Bookkeeper

APPR. OF APPT. OF DEP. BKKPR.

RESOLVED, that the Town Board of the Town of Palmyra approve the appointment of Judith McIntyre as Deputy Bookkeeper for the remainder of the calendar year 1982 - the fiscal year for the Town of Palmyra.
Motion passed with 5 ayes.

(6) Public Hearings and Workshops by Dept. of Environmental Conservation

PUB. HRGS. DEC. RE: SEWAGE/ SLUDGE -

Mr. Aplin advised the Board concerning some Public Hearings and Workshops to be held by the Department of Environmental Conservation on Sewage - Sludge - Landspreading. The closest hearing and workshop for this area will be held on Wednesday, December 8th at 7:30 P.M. at the Avon Central School.

MOTION TO HOLD EXEC. SESSION

A motion was made by Donald Sinclair, seconded by Edwin Wheeler to go into Executive session to discuss Personnel matters and wage consideration for temporary help. Motion passed with 5 ayes.

MOTION TO RETURN TO REG. SESSION

The motion to return to regular session was made by Donald Sinclair, seconded by Edwin Wheeler and passed with 5 ayes.

MOTION TO SET HRLY. RATE - TEMP. HELP.

A motion was offered by Edwin Wheeler, seconded by Nelson Cook to establish a rate of $4.00 per hour for the temporary services of a Deputy Bookkeeper. Motion passed with 5 ayes.

MOTION TO ADJOURN

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

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

December 9, 1982

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, December 9, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order at 7:40 P.M. by Supervisor Roy Aplin. MEETING OPENED

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

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

Others attending the meeting were C.H. Lyons of the Courier-Journal, Cheryl Pruitand Fred Jensen.

Following a review of the minutes submitted for approval, a motion was made by Edwin Wheeler, seconded by Nelson Cook to approve as submitted the minutes of the October 28th Town Board meeting. Motion passed with 4 ayes. APPR OF MINUTES 10/28/82

Communications - COMMUNICATIONS

1. Notice from NYS Commission on Cable Television re: Approval of application for transfer of Cable Television franchises
2. Petition for Sewer Use District - West Foster Street
3. Thank you from Virginia Wilson

Supervisor Aplin informed the Board that, due to the lack of funds in several accounts, there were several transfers of funds which needed Board approval and the following Resolutions were offered. TRANSFERS OF FUNDS

Motion number: 1982 - 0130 Date: December 9, 1982 MOTION NO. 82-0130

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds - Town Board Contractual Expense Account

WHEREAS, there are insufficient funds in the Town Board Contractual Expense Account # A 1010.4 in the amount of $127.29 due to advertising expense and purchase of vouchers, and
WHEREAS, there are funds in the Town Board Personal Services Account # A 1010.1,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of $127.29 from the Town Board Personal Services Account # A 1010.1 to the Town Board Contractual Expense Account # A 1010.4.

Motion passed with 4 ayes.

Motion number: 1982 - 0131 Date: December 9, 1982 MOTION NO 82-0131

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Transfer of Funds - Traffic Control Contractual Expense Account

RESOLVED, that the Town Board of theTown of Palmyra approve the Transfer of Funds in the amount of $31.60 from the Contingency Fund Account # A 1990.4 to the Traffic Control Contractual Expense Account # A 3310.4 to cover the cost of signs and road striping.

Motion passed with 4 ayes.

Motion number: 1982 - 0132 Date: December 9, 1982 MOTION NO 82-0132

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Transfer of Funds - Justice Contractual Expense Account

WHEREAS, there are insufficient funds in the Town Justices Contractual Expense Account # A 1110.4 in the amount of $38.25 due to purchase of forms and N.Y. Trial Handbook, and
WHEREAS, there are funds in the Town Justices Personal Services Account #A1110.1,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of $38.25 from the Town Justices Personal Services Account # A 1110.1 to the Town Justices Contractual Expenses Account # A 1110.4.

Motion passed with 4 ayes.

Motion number: 1982 - 0133 Date: December 9, 1982 MOTION NO 82-0133

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds - Supervisor's Contractual Expense Account

MOTION NO. 82-0133 CONT'D

WHEREAS, there are insufficient funds in the Supervisor's Contractual Expense Account # A 1220.4 in the amount of $93.62 due to a Telephone bill and purchase of Accounting sheets, Budget sheets and Office supplies, and
WHEREAS, there are funds in the Supervisor's Personal Services Account #A1220.1,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of $93.62 from the Supervisor's Personal Services Account # A 1220.1 to the Supervisor's Contractual Expenses Account # A 1220.4.

Motion passed with 4 ayes.

MOTION NO. 82-0134

Motion number: 1982 - 0134 Date: December 9, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Transfer of Funds - Tax Collector Contractual Expense Acct.

WHEREAS, there are insufficient funds in the Tax Collector Contractual Expenses Account in the amount of $82.72 due to the purchase of Envelopes, Postage and the cost of telephone calls, and
WHEREAS, there are funds in the Tax Collector's Personal Services Account # A 1330.1,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of $82.72 from the Tax Collector's Personal Services Account # A 1330.1 to the Tax Collector's Contractual Expenses Account # A 1330.4.

Motion passed with 4 ayes.

MOTION NO. 82-0135

Motion number: 1982 - 0135 Date: December 9, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Transfer of Funds - Attorney Contractual Expense Account

RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of funds in the amount of $413.39 from the Contingency Fund Account # A 1990.4 to the Attorney Contractual Expense Account # A 1420.4 to cover the Voucher from Invex Investigation Agency for services on Am-trak accident of March 2, 1982.

Motion passed with 4 ayes.

Supervisor Aplin also informed the Board that there are Vouchers from Pal-Mac Plumbing and Victor Roofing & Siding which will complete payment for work done on the Town Office Building and it requires transfers of funds to put sufficient funds in the Building Contractual Expenses Account. The following Resolution was offered for the Board's consideration.

MOTION NO. 82 - 0136

Motion number: 1982 - 0136 Date: December 9, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfers of Funds - Federal Revenue Sharing Housing Facilities and Capital Funds Housing Facilities

WHEREAS, there are Vouchers from the Pal-Mac Plumbing in the amount of $1218.75 and from the Victor Roofing & Siding in the amount of $1025.25, and
WHEREAS, there is a $669.55 balance in the Federal Revenue Sharing Fund Housing Facilities CF 1620.4, and
WHEREAS, there is a $708.46 balance in the Capital Funds Housing Facilities H 1620.4,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfers of funds as follows:

From Federal Revenue Sharing Fund - Housing Facilities CF 1620.4 to General Fund - Building Contractual Expense Account # A 1620.4 in the amount of $669.55

From Capital Funds - Housing Facilities H 1620.4 to General Fund - Building Contractual Expense Account # A 1620.4 in the amount of $708.46,

BE IT FURTHER RESOLVED, that the Town Board approve the payment of the balance of $965.99 from the General Fund - Building Contractual Expense Account #A1620.4 to cover the total cost of the Vouchers from Pal-Mac Plumbing and Victor Roofing & Siding.

Motion passed with 4 ayes.

MOTION TO PAY BILLS

Following a review of Claims/Vouchers submitted for payment, a motion was made by Nelson Cook, seconded by Edwin Wheeler to approve payment of Vouchers as shown on Abstract # 11B and # 12. Mo[illegible] passed with 4 ayes.

ABSTRACT # 11B

ABSTRACT #11B

GENERAL FUND	Vouchers	#417-419	$8944.38
PART TOWN FUND	"	# 90- 91	138.64
HIGHWAY ITEM IV	"	# 44	472.01

NORTH WATER DISTRICT	Vouchers # 44- 45	$ 57.88	ABSTRACT 11B
SOUTH WATER DISTRICT	" # 40- 41	28.01	
EAST WATER DISTRICT	" # 47- 48	7.47	CONTINUED
TOTAL		$9648.39	

ABSTRACT # 12

GENERAL FUND	Vouchers #420-453	$11127.14	ABSTRACT 12
PART TOWN FUND	" # 92- 94	340.16	
FEDERAL REVENUE SHARING	" # 25- 27	915.26	
HIGHWAY ITEM I	" # 58- 63	1734.60	
HIGHWAY ITEM III	" #197-210	2224.31	
HIGHWAY ITEM IV	" # 45	3522.58	
EAST WATER DISTRICT	" # 49- 52	3987.37	
SOUTH WATER DISTRICT	" # 42	16.44	
CAPITAL FUND	" # 1	708.46	
TOTAL		$24576.32	

Town Councilman Donald Sinclair joined the meeting at 7:50 P.M..

Reports of Standing Committees - COMM. REPORTS

Highway Committee - Edwin Wheeler, Chairman HWY.COMM.

(1) Signs for Speed Limits

Mr. Wheeler reported that he has been advised that the Speed Limit signs for Stafford Road and East Palmyra - Port Gibson Road have been erected and the established Speed limits are in effect. SPEED LIMIT SIGNS

(2) Division Street Drainage Problem DIV.ST.DR. PROBLEM

Mr. Wheeler reported that the Town Board, along with the Town Attorney and Juson Roney, met on Saturday, November 20th, and spent about 4 hours reviewing the area in question on Division Street. Dye tests were run and there apparently were no serious problems. The residents in the area were very appreciative of the time and effort spent by the Board to review the area and the problems which did exist were solved by the residents themselves.

(3) Status of Bridges STATUS OF BRIDGES

Supervisor Aplin reported to the Board that the County Highway Committee meeting which had been scheduled in order for the Town Attorney and the County Attorney to attend to discuss the status of the bridges (Galloway and Swift's Landing/Harrison's Mill) had been changed. A new meeting has been requested with the County Highway Superintendent being responsible for contacting the participants.

(4) Request from DOT concerning possible closing of the East Townline Road and Hogback Hill Road Railroad crossings DOT REQUEST FOR R.R. CROSSING CLOSINGS

Mr. Wheeler reported that Town Highway Superintendent DeBrine had received a letter from the Department of Transportation concerning the possible closing of the East Townline Road and Hogback Hill Road Railroad crossings. Town Attorney Paul Rubery advised the Board that it is premature for action by the Town Board as the County hasn't resolved the problems as yet. Mr. DeBrine had submitted to Mr. Wheeler a draft of a letter in response to the communication from the DOT. This was read by Mr. Wheeler at this time. Following discussion on this matter, a motion was made by Edwin Wheeler that the Town Board authorize Town Highway Superintendent DeBrine to send the letter. Motion was seconded by Nelson Cook and passed with 5 ayes. MOTION TO SEND LETTER TO DOT

Water Committee - David Lyon, Chairman WATER COMM.

(1) Proposed Extension to East Water District

No action at this time.

(2) Petition for Sewer Use District - Communication # 2 PETITION SEWER USE DISTRICT

Town Attorney Paul Rubery spoke to the Board concerning this petition and referred to a request received by the Town about 2 years ago from M. & Mrs. Bauer.

DISC. RE: SEWER USE DISTRICT CONT'D

Mr. Rubery advised the Board that this petition had been referred to him and he had been requested to send a letter to Mrs. Bauer stating the options which were available if the Village agreed. Cheryl Pruit and Fred Jensen, also petitioners, were present and discussed along with the Board the possibilities for creating a Sewer Use District and possible costs involved in connecting to the Village Sewer system. The Town Attorney advised the Board that the Village of Palmyra should be notified that the Town has received a petition from residents on West Foster Street requesting that a Sewer Use District be formed and the Town should request the Village to advise what the charges would be for connecting to the Vil-age Sewer System. A motion was made by David Lyon, seconded by Donald Sinclair that the Town Board authorize the Supervisor to send a letter to the Village of Palmyra notifying the Village Board of the receipt of the Petition and requesting information concerning connection costs. Motion passed with 5 ayes.

LANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman

(1) Holiday Closings

HOLIDAY CLOSINGS

MOTION TO APPROVE HOLIDAY HOURS

The Board discussed the closing of the Landfill on the Christmas and New Year holidays. A motion was made by Donald Sinclair, seconded by Roy Aplin that the Town Board authorize the closing of the Landfill on Saturday, December 25th and Saturday, January 1st and establish Landfill hours from 8:00 A.M to 3:00 P.M. on Friday, December 24th and Friday, December 31st. Motion passed with 5 ayes.

CEM. COMM.

Cemeteries Committee - Donald Sinclair, Chairman

WORK AT SWIFT'S CEM.

Mr. Sinclair reported that the Church of Latter Day Saints graciously volunteered to do some work at Swift's Cemetery and he advised the Board that an outstanding job was done by Ralph Ingold and his crew.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSES.PL.&ZON. COMM.

(1) Mario Morganti's Application for Special Authorization

CHANGE IN MORGANTI'S RESOLUTION

Mr. Cook referred to and read a letter from Town Attorney Rubery to the Town Board advising that Mr. Morganti and his attorney have requested 2 changes in the conditions listed in the Resolution approving Mr. Morganti's Application. These 2 changes were discussed by the Board and Mr. Rubery advised that 1 change in the conditions has been withdrawn. The only condition requested is that the phrase "after appropriate legal proceedings" be made an addition to the penalty clause.

MOTION TO APPROVE ADDITION TO PENALTY CLAUSE

Following discussion on this request, a motion was offered by Nelson Cook, seconded by Edwin Wheeler, that the Town Board approve the addition of the phrase "after appropriate legal proceedings" to the penalty clause on Page 3 - # 3 of the conditions of the Resolution adopted by the Town Board at their meeting held on October 28, 1982. Motion passed with 5 ayes.

(2) Burr Winburn Application for Special Authorization to conduct a seasonal ice cream business in the former Coffee Break Restaurant

MOTION TO REFER WINBURN APPL. TO PL.BD.& ADV. FOR PUB.HRG.

Mr. Cook advised the Board of this request and made the motion to refer this application to the Planning Board for recommendations and to authorize the advertising for a Public Hearing to be held on Thursday, December 28, 1982 at 7:30 P.M. in the Town Office. The motion was seconded by by David Lyon. Town Attorney Rubery advised the Board that, considering that the applicant is not the owner of the property, an agreement/consent from the owner is required. Motion passed with 5 ayes.

MATTERS TABLED

(3) Matters tabled -

(a) Application of ra Rodman

RODMAN APPLIC. RET'D TO TABLE

A motion was made by Nelson Cook, seconded by Edwin Wheeler, to take from the table the matter of the Application of Clara Rodman for permission to place a 2nd Mobile Home on property on Route 31. Motion passed with 5 ayes.

Following a brief discussion, the following Resolution was offered for the Board's consideration.

RODMAN APPLICATION

Motion number: 82-277 1982 - 0137 Date: December 9, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

MOTION NO. 82-0137

Title: Board Decision on Clara Rodman Application

WHEREAS, Clara Rodman of 4387 Palmyra, New York, filed an application, dated October 28, 1982, bearing No. 82-277 for permission to install an additional mobile home, 8' by 26' on her premises at 4387 Palmyra-Newark Road, Palmyra, New York; and

RODMAN REQUEST DENIED

WHEREAS, a public hearing was held on November 18, 1982 at 7:45 p.m. at the Town Office pursuant to a notice duly published in the Town's official newspaper; and
WHEREAS, Clara Rodman spoke at the public hearing in favor and two neighbors, Mr. and Mrs. Leitch, spoke in opposition thereto; and
WHEREAS, the premises are located in an agricultural district; and
WHEREAS, the premises, prior to the installation of the 8' by 26' mobile home, were improved by an existing mobile home; and
WHEREAS, the Mobile Home Ordinance of the Town of Palmyra prohibits the placing of mobile homes in an area outside of a mobile home park, except on a temporary basis, as set forth in Article 4 Section 400 of the Mobile Home Ordinance; and
WHEREAS, the Zoning Ordinance of the Town of Palmyra prohibts mobile homes except as permitted by the Town of Palmyra Mobile Home Ordinance; and
WHEREAS, the Town of Palmyra Zoning Ordinance requires a minimum of 450 square feet for each apartment; and
WHEREAS, the Town of Palmyra requires compliance with the New York State Building Code, Fire Code, Energy Code and related construction codes; and
WHEREAS, the existing mobile home located on the lot prior to the placement of the mobile home, the subject of this application was a pre-existing, nonconforming use which may not be enlarged, altered, or extended; and
WHEREAS, all living facilities must have adequate sanitary facilities as required by law.
NELSON COOK made the following resolution, which was seconded by EDWIN WHEELER and was ADOPTED by 5 "ayes" and o "nays":
WHEREAS, the application of Clara Rodman is to approve an addition to her mobile home by adding a second mobile home; and
WHEREAS, the applicant has not submitted an application as required by the Mobile Home Ordinance; and
WHEREAS, the proposed addition does not comply with the Zoning Ordinance and the Mobile Home Ordinance of the Town of Palmyra, and the proposed addition does not conform with the State Building, Construction, and Energy Codes; and
WHEREAS, the proposed use and construction is not in conformity with the neighborhood; and
WHEREAS, the application, if approved, would have a detrimental effect on the neighborhood; and
WHEREAS, the proposed addition is not connected to adequate sewage facilities; and
WHEREAS, the proposed addition is the extension of a nonconforming use; and
WHEREAS, the proposed addition would create living space which is less than that permitted by the Code (206 square feet); and
WHEREAS, the mobile home was placed on the premises without permission; and
WHEREAS, said conditions shall be detrimental to the neighborhood and endanger the health and general welfare of the public.
NOW, BE IT RESOLVED that the application of Clara Rodman is hereby denied and the said Clara Rodman is hereby ordered to remove the said 8' by 26' mobile home within 30 days from the date of delivery of a copy of this order to her premises.

Motion passed with 5 ayes.

Economic Development Committee - Roy Aplin, Chairman

ECON.DEV.COM

Nothing to report at this time.

Town Building Committee - David Lyon, Chairman

TN.BLDG.COMM

Mr. Lyon reported to the Board that some progress has been made with furnishing the Court Room on the second floor of the Town Office Building.

Mr. Lyon also indicated that there will be a meeting of the Town Building Committee the first of the year to discuss further work on the building.

Other Business -

OTHER BUSINESS

(1) Application for Financial Aid for Recreation for the Elderly

APPLIC. FOR FUNDS-SR.CIT

Motion number: 1982 - 0138 Date: December 9, 1982

Motion by: David Lyon, seconded by Nelson Cook

MOTION NO. 82-0138

Title: Authorization for Supervisor to sign Application for Funds

RESOLVED, that the Town Board of the Town of Palmyra authorize the Supervisor's

MOTION NO. 82-0138 CONT'D	signature on the Application for Funds - Recreation Program, matching funds for Senior Citizens in the Town of Palmyra controlled thru the Office for the Aging and the Palmyra Community Center. Motion passed with 5 ayes.

(2) Application for Bingo License - Palmyra Memorial Post # 6778 VFW

BINGO LIC. VFW

The Annual Application for a Bingo License from Palmyra Memorial Post # 6778 Veterans of Foreign Wars was presented to the Town Board for their approval.

MOTION NO. 82-0139

Motion number: 1982 - 0139 Date: December 9, 1982
Motion by: Donald Sinclair, seconded by Nelson Cook
Title: Approval of Application for Bingo License - VFW

APPR.OF VFW BINGO LICENSE

RESOLVED, that the Town Board of the Town of Palmyra approve the Application for Bingo License submitted by the Palmyra Memorial Post # 6778 - Veterans of Foreign Wars for the year 1983 - occasions starting 1/4/83 thru 12/27/83.
Motion passed with 5 ayes.

(3) 1983 Budget

1983 BUDGET

Supervisor Aplin was requested to order more copies of the 1983 Budget which was adopted by the Town Board on November 4, 1982.

(4) Copiers

COPIERS

Councilman Lyon suggested that a means of pro-rating the copier in the Court Room on the second floor be established.

MOTION TO DECLARE PITNEY-BOWES AS SURPLUS

A motion was made by David Lyon, seconded by Edwin Wheeler to declare the Pitney-Bowes Copier as surplus equipment. Under discussion, a suggestion was made to contact the Palmyra Community Center concerning this copier. Motion passed with 5 ayes.

MOTION TO ADJOURN

The motion to adjourn this meeting was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes.

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
NOTICE OF
PUBLIC HEARING
TOWN OF PALMYRA

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will hold a Public Hearing on Tuesday, December 28, 1982 at 7:30 P.M. in the Town Office, 201 East Main Street, Palmyra, New York to consider the application of Burr Winburn of Clifton Springs, New York for Special Authorization to conduct a Seasonal Retail Ice Cream Business at 4326 Palmyra-Newark Road in the Town of Palmyra. These premises, owned by Gerald Spangenberg, are situated in an Agricultural Zone and are bounded on the East by the highway (Route 31), on the South by he lands of Bruce Green, Jr., on the West by lands of Morris & Margaret Mahoney and on the North by lands of Willard & Luella Champlin.

The Town of Palmyra Zoning Ordinance, Article III, Section 3.2, Paragraph b. Agricultural Zone [illegible] Use of land other than for farm purposes requires Special Authorization [illegible] the Town Board [illegible] Authorization [illegible] Article VII, Section [illegible] the Zoning Ordinance.

The said Town Board will at said time and place hear all persons in support of said application or any objection thereto. Persons may appear in person or by attorney or agent.

Dated: December 13, 1982
By order of the
Town Board of the
Town of Palmyra
[illegible]
Town Clerk
(154) [illegible]

......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 15, 1982

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 17th day of Dec., 19 82

Judith A. MacDuff
Notary Public

Fee: $ 16.78

JUDITH A. MacDUFF
Notary Public for the
State of New York County of Wayne
4730126
Expiration Date March 30, 1983

December 28, 1982

PUBLIC HEARING WINBURN APPLICATION SPEC.AUTHOR ICE CREAM BUSINESS

The Public Hearing scheduled to be held at 7:30 P.M. on Tuesday, December 28, 1982 in the Town Office, 201 East Main Street, Palmyra, New York to consider the Application of Burr Winburn, Clifton Springs, New York for Special Authorization to operate a Seasonal Ice Cream Business in the former Coffee Break Restaurant, 4326 Palmyra-Newark Road in the Town of Palmyra was opened by Supervisor Aplin at 7:35 P.M.. The Proof of Publication was read by the Clerk. Those present, other than the Town Board, were Judson Roney, Paul Rubery, James DeBrine, Burr Winburn and Robert Winburn.

Supervisor Aplin requested comments from those who were in favor of this application and, at this time, Burr Winburn came forward stating that he had submitted the application for a Seasonal Ice Cream Business. He responded to questions from Supervisor Aplin concerning (1) Frontage of the property and set-back from the Highway (2) amount of space for parking and number of cars which could be parked (3) Structural changes, if any (4) Drive-in service as compared to inside service. (Mr. Roney noted that, although Mr. Winburn stated that there would be no customers inside, that fact is not stipulated in the application) (5) the lease with Gerald Spanganberg, owner. (Mr. Winburn replied that, if the application is approved, he will have a 5 year lease - renewable yearly.)

The application was discussed further and Mr. Aplin asked if there was anyone else who wished to speak in favor of or against this request. The Clerk was requested to read the recommendations from the Planning Board. They were as follows:

"At the regular meeting of the Planning Board on December 14, 1982, the Board unanimously recommends to the Town Board to approve granting the above application (#82-282).
The Planning Board felt the location was good and that the road and traffic visibility would not be a hazard."

HEARING CLOSED

Supervisor Aplin declared the hearing closed at 7:45 P.M. and the application was referred to Committee.

REG. MTG. OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled for Tuesday, December 28, 1982 in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor Aplin at 7:48 P.M..

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

ROLL CALL

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

COMMUNICATIONS

Communications -

1. Letter from James Campbell, Palmyra Community Center, re: PB Copier

2. Letter from James Sapienza re: communication dated September 7, 1982 to the Village of Palmyra (with a copy to the Town of Palmyra) from D. Ryan, Fire Commissioner of the Village of Macedon, concerning Advanced Life Support Mutual Aid - Village of Macedon. This matter was discussed briefly and the Supervisor was requested to respond to Donald Ryan, Fire Commissioner of the Village of Macedon, indicating that this is not a problem for the Town Board as the Annual Contract is the only connection between the Town of Palmyra and the Palmyra Emergency Volunteer Ambulance Service.

3. Notice of Chamber of Commerce meeting to be held January 10, 1983

TRANSFERS OF FUNDS

Transfers of Funds -

Mr. Aplin advised the Board that there are several accounts which are involved in transferring funds which must be done before the end of the Town's Fiscal year. The following Resolutions were offered for the Board's consideration:

MOTION NO.	Motion number:	1982-0140 Date: December 28, 1982
82-0140	Motion by:	Edwin Wheeler, seconded by Nelson Cook
	Title:	Transfer of Funds - Per Capita

PER CAPITA

WHEREAS, monies for Per Capita in the amount of $27,845.00 have been deposited to the Part Town Fund, and
WHEREAS, these monies are transferred to Highway Item I at the end of the fiscal year,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of $27845.00 from the Part Town Fund Account No B 9901.9, Transfer to Other Funds, to the Highway Item I Revenue Account No. DR 5031.

Motion passed with 4 ayes.

MOTION NO.	Motion number:	1982-0141 Date: December 28, 1982
82-0141	Motion by:	Edwin Wheeler, seconded by Nelson Cook
	Title:	Transfer of Funds - From Part Town to Highway Item III

PART TN. TO HWY III

RESOLVED, that the Supervisor be authorized to Transfer Funds in the amount of $33,000 from the Part Town Fund Account No. B 9901.9, Transfer to Other Funds, to Highway Item III Revenue Account No. DM 5031, pursuant to the 1982 Budget as adopted, and
BE IT FURTHER RESOLVED, that the Supervisor be authorized to transfer funds in the amount of $33,000 from Highway Item III Revenue Account No. DM 5031 to the Highway Item III Machinery Equipment Account No. DM 5130.2.

Motion passed with 4 ayes.

MOTION NO.	Motion number:	1982 - 0142 Date: December 28, 1982
82-0142	Motion by:	Edwin Wheeler, seconded by Nelson Cook
	Title:	Transfer of Funds - From Contingency Account to General Fund

CONTING. TO GEN.

WHEREAS, the following Accounts in the General Fund have insufficient funds at the end of the fiscal year in the following amounts:

A 1010.1 - $127.29	A 1220.1 - $322.45	A 1410.1 - $ 66.42
A 1010.4 - 50.75	A 1220.2 - 332.00	A 3310.4 - 302.06
A 1110.1 - 202.06	A 1220.4 - 117.04	
A 1110.4 - 78.50	A 1330.1 - 82.72 , and	

WHEREAS, there are sufficient funds in the Contingency Account No. A 1990.4 to cover these deficits,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of $1681.29 from the Contingency Account No. A 1990.4 to the various Accounts in the amounts so listed

Motion passed with 4 ayes.

MOTION NO.	Motion number:	1982 - 0143 Date: December 28, 1982
82-0143	Motion by:	Edwin Wheeler, seconded by Nelson Cook
	Title:	Transfer of Funds - From Dog Account to Town Clerk's Account

DOG ACCT. TO TN.CLK. ACCOUNT

WHEREAS, the Budget for 1982 allowed that $600 from the Dog Control Account be appropriated to the Town Clerk Personal Services Account No. A 1410.1, and
WHEREAS, this amount has not been credited to the Town Clerk's Account,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of $600 from the Dog Control Account No. A 3510.4 to the Town Clerk Personal Services Account No. A 1410.1.

Motion passed with 4 ayes.

MOTION NO.	Motion number:	1982 - 0144 Date: December 28, 1982
82-0144	Motion by:	Edwin Wheeler, seconded by Nelson Cook
	Title:	Transfer of Funds - Zoning Personal to Zoning Contractual

ZON. PERS. TO ZON. CONTRAC.

WHEREAS, the Zoning Contractual Expense Account No. B 8010.4 has insufficient funds in the amount of $83.25, and
WHEREAS, the Zoning Personal Services Account B 8010.1 has sufficient funds,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds from Zoning Personal Services Account B 8010.1 to the Zoning Contractual Expense Account B 8010.4 in the amount of $83.25.

Motion passed with 4 ayes.

MOTION NO.	Motion number:	1982 - 0145 Date: December 28, 1982
82-0145	Motion by:	Edwin Wheeler, seconded by Nelson Cook
	Title:	Use of Surplus Funds - Water Districts

USE OF SURPLUS FUNDS

WHEREAS, there are insufficient funds in the Personal Services Accounts of the Water Districts in the following amounts: North Water District - $190.65, South

Water District - $92.25 and the East Water District - $24.60; and in the Contractual Expenses of the East Water District in the amount of $1365.63, and WHEREAS, there are excess funds in the Water Districts to cover these deficits, NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the use of these excess funds to cover these insufficient funds. MOTION NO. 82-0145

Motion passed with 4 ayes.

Motion number: 1982 - 0146 Date: December 28, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds - Highway Item III to Machinery Capital Reserve Account

MOTION NO. 82 - 0146 TRANS. OF FUNDS MACH.ACCT.

BE IT RESOLVED, that the Town Supervisor be authorized to transfer from Highway Item III Machinery Account DM 5130.2 to the Machinery Capital Reserve Account the sum of $9,000.

Motion passed with 4 ayes.

Motion number: 1982 - 0147 Date: December 28, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds - Highway Item III to Machinery Reserve Account

MOTION NO. 82-0147 TRANS. OF FUNDS MACH.ACCT.

BE IT RESOLVED, that the Town Supervisor be authorized to transfer from the Machinery Account-Highway Item III to the Machinery Capital Reserve Account the sum of $24,000 which is the unexpended surplus in the Machinery Account.

Motion passed with 4 ayes.

Following a review of Claims/Vouchers submitted for approval, a motion was made by Edwin Wheeler, seconded by Nelson Cook to approve payment of the Vouchers as shown on Abstract # 12A. Motion passed with 3 ayes and 1 no, Supervisor Aplin voting no because of his objection to the Voucher for the PEDC. The Vouchers were listed by Funds as follows: MOTION TO PAY BILLS

ABSTRACT #12A ABSTR.#12A

GENERAL FUND	Vouchers	#454-484	$14,639.00
FEDERAL REVENUE SHARING	"	# 28	750.00
PART TOWN FUND	"	# 95-102	33,233.32
HIGHWAY ITEM I	"	# 64- 66	1,114.10
HIGHWAY ITEM III	"	#211-224	2,228.38
HIGHWAY ITEM IV	"	# 46- 50	6,129.55
NORTH WATER DISTRICT	"	# 46- 47	3,449.89
SOUTH WATER DISTRICT	"	# 43- 45	2,085.70
EAST WATER DISTRICT	"	# 53- 56	4,721.96
TOTAL			$68,351.90

REPORTS OF STANDING COMMITTEES - REPORTS OF COMM.

Highway Committee - Edwin Wheeler, Chairman

(1) Agreement to Spend Highway Monies HWY.COMM.

Mr. Wheeler advised the Board of the Annual Resolution concerning the Agreement to Spend Highway Monies.

Motion number: 1982 - 0148

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Approval of Agreement to Spend Highway Funds

MOTION NO. 82-0148 APPR. TO SPEND HWY. FUNDS

RESOLVED, that the Town Board of the Town of Palmyra, pursuant to the provisions of Section 284 of the Highway Law, agree that monies levied and collected for the repair and improvement of highways, and received from the State for the repair and improvement of highways, shall be expended as follows: $103,111.00 for General repairs upon 48.89 miles of Town Highways.

Motion passed with 4 ayes.

(2) Preferential Rights - Abandoned Railroad Property PREF.RGTS. R.R. PROP.

Mr. Wheeler read a letter from Town Attorney Paul Rubery to Supervisor Aplin concerning this matter. Recommendations from Town Highway Superintendent DeBrine were also read. Discussion followed.

MOTION TO HOLD A RECESS

A motion was made at this time by David Lyon, seconded by Nelson Cook to hold a 5 minute recess. Motion passed with 4 ayes.

The meeting was re-opened by Supervisor Aplin.

DISC. RE: R.R PROP.

The Board returned to the discussion on the Abandoned Railroad Property. The Town Attorney was requested to pursue the matter for more information.

Water Committee - David Lyon, Chairman

WATER COMM.

(1) Proposed Extension to the East Water District

PROP. EXT. E.WATER DIST.

Mr. Lyon reported that this matter will be held until the Town Engineer can review some recommendations from the Health Department which might mean some minor changes.

(2) Amendment to the Rules & Regulations for Water Districts

AMEND. TO RULES & REG. FOR WATER DIST.

Councilman Lyon presented the amended Sections #20 and #22 of the Rules & Regulations for the Water Districts to the Board for review and discussion. The following Resolution was offered.

MOTION NO. 82-0149

Motion number: 1982-0149 Date: December 28, 1982

Motion by: David Lyon, seconded by Nelson Cook

Title: Approval to Amend Rules & Regulations for Water Districts Sections # 20 and #22

AMENDMENT APPROVED

RESOLVED, that the Town Board of the Town of Palmyra amend Section # 20 and #22 of the Rules & Regulations for the Water Districts to read as follows:

Section # 20. Meter Bills

Bills for metered water shall be due and payable quarterly on the first day of March, June, September, and December in each year. In each instance, when a water meter bill is not paid on or before the 15th day of the month in which it is due, a penalty of ten per cent (10%) shall be added to the bill for all payments received after the 15th of the month. In the event a water meter bill is unpaid at the next due date, the amount unpaid with penalty shall be added to that water meter bill. Any unpaid water meter bills unpaid on the 1st day of November of any year will be added to the next general tax against real property and shall be paid with that tax. Failure to receive a bill or failure to receive a timely water meter bill shall not act as a waiver of said water meter bill or penalty which is imposed. In the case of an inability to read a meter, an estimated bill will be submitted to the consumer, which will have the same force and effect as a water meter bill. In the event a final reading is required, there shall be a special charge of Five Dollars ($5.00) for the reading, and , in the event it is not paid within fifteen days of the date it is rendered, a penalty of ten per cent (10%) shall be added.

Section # 22. Unpaid Charges

All charges for water and water meter bills, service pipe installations, repairs, damages caused by carelessness or neglect, penalties, etc., shall be made against the premises supplied, and the consumer owning the premises shall be held responsible therefor. Such charges, if not paid when due, shall be a lien on the property benefited. All such unpaid charges shall be added to the next general tax against property. Failure to pay within sixty (60) days from the due date, at the option of the Town Board, may result in a notice of discontinuation of service. Service shall be restored upon receipt in full of the total sum of charges due with penalty, with an additional fee of $25.00 to restore the services.

Motion passed with 4 ayes.

WATER SERV. CONTRACT

(3) Water Service Contract with the Village of Palmyra

Mr. Lyon reported that he had contacted the Chairman of the Village Water Committee and the Water Superintendent and the Water Service Contract with the Village of Palmyra for the services of Harold Kruger, Water District Superintendent will remain the same except for a $100 increase in the amount of salary - 1982 - $1800, 1983 - $1900. The following Resolution was offered.

MOTION NO. 82-0150

Motion number: 1982 - 0150 Date: December 28, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Approval of Water Service Contract with Village of Palmyra

APPR. OF WATER SERV. CONTRACT

RESOLVED, that the Town Board of the To[illegible] of Palmyra approve the Water Service Contract between the Village and Town of Palmyra for the services of Water Superintendent Harold Kruger for the year January 1, 1983 - December 31, 1983, salary in the amount of $1900.

Motion passed with 4 ayes.

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
TOWN OF PALMYRA
NOTICE OF ADOPTION
OF AMENDMENTS
TO RULES AND
REGULATIONS
FOR WATER DISTRICTS
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Palmyra adopted a Resolution at their regular meeting on December 28, 1982, approving the Amendment to Section 420-k-422 of the Rules and Regulations governing the use and supply of water for all Water Districts within the town of Palmyra.
[illegible]
[illegible]
1983

........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. 16, 1983.............................

....

....

....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 25th day of Feb. 1983.

Judith A. MacDuff
Notary Public

Fee: $ 6.71

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4733426
Expiration Date March 30, 1983

Landfill Committee - Donald Sincliar, Chairman — LDFL. COMM.

No report at this time.

Cemeteries Committee - Donald Sinclair, Chairman — CEM. COMM.

No report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman — ASSESS,PL.& ZON. COMM.

(1) Application of Burr Winburn for Special Authorization

The Board discussed this request for a Seasonal Ice Cream Business in the former Coffee Break Restaurant at 4328 Palmyra-Newark Road and considered several conditions. The following Resolution was offered for the Board's consideration. WINBURN APPLIC.

Motion number: 1982 - 0151 Date: December 28, 1982

Motion by: Nelson Cook, seconded by David Lyon — MOTION NO. 82-0151

Title: Approval of Winburn Application for Special Authorization

WHEREAS, Burr S. Winburn with Gerald Spangenberg, the property owner, has applied for a Special Authorization pursuant to Article VII of the Zoning Ordinance of the Town of Palmyra to conduct an ice cream stand in an existing frame bulding at 4328 Route 31, Palmyra, New York; and — APPROV. OF WINBURN APPLICATION

WHEREAS, a public hearing was held on the 28th day of December, 1982, at 7:30 P.M. pursuant to a notice duly published in the Town's official paper; and

WHEREAS, the Town Board received comments from the applicant, Burr Winburn and Building Inspector Judson Roney in favor of granting the proposed special permit; and

WHEREAS, there was no one who spoke in opposition to the granting of said special permit; and

WHEREAS, the Planning Board of the Town of Palmyra recommended approval of the application; and

WHEREAS, Burr S. Winburn represented that the business would be seasonal and would be conducted as a walk-up business with no inside service of customers,

Town Councilman Nelson Cook made the following resolution which was seconded by Councilman Edwin Wheeler and approved by 4 "ayes",

WHEREAS, the building was previously used as a restaurant or coffee shop and the new use would be similar in nature, operated only in season and only as a walk-up service without interior service or seating, and it would appear that the granting of the special authorization would not have a detrimental effect on the neighborhood and that suitable conditions may be imposed which will insure the health and safety of the people of the Town of Palmyra,

BE IT RESOLVED, that the application for a special authorization be granted to Burr S. Winburn at 4328 Route 31 East to operate a seasonal walk-up or carry-out ice cream stand upon the following conditions which, if violated, would be a basis for revoking the special authorization, or at the option of the Town Board of the Town of Palmyra, would be a violation of the Zoning Ordinance of the Town of Palmyra and subject the applicant and the owner of the real porperty to prosecution or other legal action for said violation.

The conditions shall be:

1. The stand shall not operate prior to April 1 in any year and not later than November 1 in that year.
2. The food sold shall be sold only to walk-up customers and there shall be no interior dining service or places for customers to sit down.
3. There shall be no exterior storage of material or waste.
4. There shall be no parking of automobiles along Route 31.
5. All parking must be done within the confines of the property, off the highway.
6. The applicant will comply with all other provisions of the:
   a. Zoning Ordinance of the Town of Palmyra
   b. New York State Building Code, including Electrical Code
   c. Fire Code of the State of New York
   d. Vehicle and Traffic Laws of the State of New York
   e. Rules and regulations of the Department of Health of the State of New York
   f. All other applicable laws, rules, and regulations of the State of New York, County of Wayne, and Town of Palmyra and/or agencies or divisions thereof.
7. The applicant will be responsible for policing of his customers.
8. Said special authorization is personal to Burr S. Winburn and is not transferable and does not run with the property.
9. The applicant and the land owner will sign a copy of this special authorization, which will signify receipt of the a[illegible]ve conditional authorization with conditions and with the understanding that a vi[illegible]ion of any condition will subject him to a possible fine, legal action, and/or the revocation of the special authorization.

Motion passed with 4 ayes.

ECONOM. DEV. COMM.

Economic Development Committee - Roy Aplin, Chairman

Nothing to report at this time.

TN.BLDG.COMM.

Town Building Committee - David Lyon, Chairman

Nothing to report at this time.

OTHER BUS.

Other Business -

ENCUMBRANCES OF FUNDS

(1) Encumbrances of Funds

MOTION NO. 82-0152

GEN. FUND

Motion number: 1982 - 0152 Date: December 28, 1982

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Encumbrance of Funds - General Fund

WHEREAS, the following Accounts are payable with 1982 funds, and
WHEREAS, the proper invoices and signed vouchers have not been received at the close of the fiscal year,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Townof Palmyra approve the Encumbrance of 1982 funds in the following General Fund Accounts:

Matthew Bender - A 1110.4 - Justice Contractual Expense	$45.00
Wayne Co. Printing - A 1010.4 - Town Board Contractual Exp.	16.00
Santelli Lumber Co. - A 1620.4 - Buildings Contractual Exp.	81.64
Marshall Swift - A 1355.4 - Assessor Contractual Expense	76.00
Mechanics Laundry - A 1620.4 - Buildings Contractual Expense	9.00

Motion passed with 4 ayes.

MOTION NO. 82-0153

HWY I & III

Motion number: 1982 - 0153 Date: December 28, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Encumbrance of Funds - Highway Item I & III

RESOLVED, that the Town Board of the Town of Palmyra approve the Encumbrance of Funds in the following accounts:

Highway Item I - Account no. DR 5110.4

Concrete Materials	$578.04 (est)
General Crushed Stone	157.80 "
Palmyra Agway	56.5
Total	$792.34 (est)

Highway Item III - Account no. DM 5130.4

Russell Auto Parts	$ 9.20
John S. Blazey	66.00
Goebert Auto Supply	75.10 to 12/28
Fasino's	160.00 (est)
H.D. Truck	35.00 "
Palmyra Agway	7.07 to 12/28
Syracuse Supply	65.00 (est)
Oil Filter	90.00 "
R. Worth	220.00 "
Santelli	19.57
Pal Oil Co.	265.20
Genesee Ford	162.98
Haverstick	60.00 (est)
Syracuse Truck Sales	30.00 "
Bill Case	475.00
Total	$1740.12 (est)

Motion passed with 4 ayes.

MOTION NO. 82 -0154

HWY. IV

Motion number: 1982 - 0154 Date: December 28, 1982

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Encumbrance of Funds - Highway Item IV

RESOLVED, that the Town Board of the Town of Palmyra approve the following Encumbrance of Funds in Highway Item IV:

(1) Encumber the balance from Item IV Appropriation Fund to cover the amounts in the following accounts:

International Salt - DS 5148.4	$1000.00 (est)
A. Cleason - DS - 5142.4	1500.00 "
Payroll - DS 5148.1	1000.00 "
Social Security - DS 9030.8	750.00 "
D.B.I. - DS 9055.8	30.00 "
Total	$4280.00 "

(2) Encumber funds from Item IV - Surplus funds in the amount of $5000.00 to

cover the January 1983 Payroll - Account No. DS 5142.1. MOTION NO. 82-0154 CONTD

Motion passed with 4 ayes.

(2) Organizational Meeting ORGANIZ. MTG.

Supervisor Aplin announced that the Organization Meeting for 1983 will be held Monday, January 3, 1983 at 7:30 P.M. in the Town Office. The Clerk was requested to send written notice of the meeting to the Town Board members.

At this time, a motion was made by Nelson Cook, seconded by David Lyon to go into Executive session to discuss matters of litigation. Motion passed with 4 ayes. MOTION TO HOLD EXEC. MEETING

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

No action was taken at this time on matters discussed during the Executive session.

The motion to adjourn this meeting to Monday, January 3, 1983 for the Organization meeting and for any other business to be brought before the Town Board was made by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes. MOTION TO ADJOURN

Respectfully submitted,

Betty B. Stubbings

Betty B. Stubbings, Town Clerk