

Town of Palmyra - Minutes

1981



January 8, 1981

1

The regular meeting of the Town Board of the Town of Palmyra was called to order at 7:30 P.M. on Thursday, January 8, 1981 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Fred Kaempfe who also led those present in the Pledge of Allegiance to the Flag.

MEETING  
OPENED

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempfe, Town Councilmen Bruce Wideman and Edwin Wheeler. Assessor Judson Ronney was also present.

ROLL CALL

Following a review of the Claims/Vouchers, a motion was offered by Bruce Wideman, seconded by Fred Kaempfe to approve payment of the vouchers as shown on Abstract #12B - 1980 and Abstract #1 - 1981. Motion was passed with 3 ayes with Edwin Wheeler abstaining on Voucher # 1. The Claims/Vouchers were listed by Funds as follows:

MOTION TO  
PAY BILLS

ABST. #12B  
ABST. # 1

ABSTRACT # 12 B - 1980

Highway Item IV                      Vouchers # 62-63                      \$3088.35

ABSTRACT # 1 - 1981

|                      |                  |           |
|----------------------|------------------|-----------|
| GENERAL FUND         | Vouchers # 1 - 5 | \$1159.84 |
| PART TOWN FUND       | " # 1 - 2        | 303.60    |
| HIGHWAY ITEM I       | " # 1            | 1067.63   |
| HIGHWAY ITEM III     | " # 1 - 4        | 856.32    |
| NORTH WATER DISTRICT | " # 1            | 4364.05   |
| SOUTH WATER DISTRICT | " # 1 - 2        | 2722.63   |
| EAST WATER DISTRICT  | " # 1 - 2        | 877.74    |

TOTAL

\$11351.81

Communications -

COMMUNICATIONS

(1) Information from the Association of Towns in regard to the Annual Meeting to be held in New York City in February.

Reports of Standing Committees -

REPORTS OF COMM.

Committee # 1 - Fred Kaempfe

COMM. # 1

(1) Rules of Order for 1981 - Mr. Kaempfe informed the Board that starting with the next meeting, an agenda will be mailed to the Town Councilmen on Monday prior to Board meetings. Any item of business not on the Agenda can be brought before the Board under "Other Business" after the Committee reports with a 2/3 vote required to include the item in the meeting.

RULES OF  
ORDER

Town Councilman David Lyon joined the meeting at 7:35 P.M..

(2) Federal Revenue Sharing Funds - Priorities were to be discussed at this meeting but David Lyon made the suggestion that the discussion of these priorities be deferred until there is a full Board present.

FED. REV.  
SHARING

(3) Association of Towns Annual Meeting

ASSOC. OF  
TNS. MTG.

Motion number: 81 - 0001

Date: January 8, 1981

Motion by: David Lyon, seconded by Bruce Wideman

MOTION NO.

Title: Appointment of Delegate and Alternate to Association of Towns Annual Meeting

81-0001

Resolved, that the Town Board of the Town of Palmyra approve the appointment of Fred Kaempfe as Delegate and the appointment of Edwin Wheeler as Alternate to the Association of Towns Meeting to be held in New York City in February. Motion passed with 4 ayes.

APPT. OF  
DEL. & ALT.

Committee # 2 - David Lyon

COMM. # 2

No report at this time.

Committee # 3 - Nelson Cook

Mr. Cook was absent, therefore, no report at this meeting.

Committee # 4 - Edwin Wheeler

COMM. #4

(1) Annual Permits - Mobile Home Parks

Mr. Wheeler reported that there would be an inspection of Mobile Home Parks

M.H. PARKS

M.H. PARKS

on Saturday, January 10th, Board members will meet in the Town Office at 9:00 A.M. Zoning Officer Judson Roney will also participate.

A brief discussion followed on the question of the Health Officer appointment.

DOGS

(2) Dogs - Mr. Wheeler reported that the Dog Enumeration is completed and Mrs. Williams has submitted her voucher for payment. A general discussion on Dog Licensing and duties of the Dog Control Officer followed.

WAYNE CO.  
YOUTH BD.

(3) Palmyra representative to Wayne County Youth Advisory Board

MOTION NO.

Motion number: 81 - 0002 Date: January 8, 1981

81-0002

Motion by: Edwin Wheeler, seconded by Bruce Wideman  
Title: Appointment of representative from the Town of Palmyra to the Wayne County Youth Advisory Board

APPT. OF  
REPR.

Resolved, that the Supervisor be instructed to advise the Wayne County Board of Supervisors of the appointment of Nancy Kaye Sinclair as the representative from the Town of Palmyra on the Wayne County Youth Advisory Board.  
Motion passed with 4 ayes.

Mr. Wheeler offered the suggestion on the recommendation of Robert Oaks that the Supervisor write a letter of appreciation to Dean Lord for his service as Palmyra's representative on the Youth Board.

COMM. CTR.

(4) Community Center - Town Councilman Edwin Wheeler reported that he was very disturbed after learning that the Palmyra Community Center (Village Hall) will be closed on Saturday evening, January 10, 1981. Following a lengthy discussion, the following Resolution was offered:

MOTION NO.

Motion number: 81 - 0003 Date: January 8, 1981

81-0003

Motion by: Edwin Wheeler, seconded by Bruce Wideman

REQUEST  
TO RE-OPEN  
COMM. CTR.

Title: Request to open Community Center  
Resolved, that the Town Board of the Town of Palmyra ask the Palmyra Community Center or the Village of Palmyra to re-open the Community Center next Monday January 12th and to keep it open and operating until the new facility is completed in its entirety.

Further discussion followed and the motion passed with 4 ayes. Supervisor Kaempffe stated he would contact Mayor MaryLou Wilson over the week-end to discuss this problem.

COMM. # 5

Committee # 5 - Bruce Wideman

VILL/TN  
OFFICE  
CONSOLID.

(1) Village/Town Office Consolidation - Mr. Wideman reported that he met with Mayor Wilson in regard to the Consolidation of Offices and stated that the first meeting of minds concerning the office facility is to agree on acceptance of the plans by Mr. Sherman. He also expects to meet with Village Trustee Mary Kay McGrath to discuss and review this project. He spoke of getting started on an application for the CETA help and Mr. Kaempffe reported that has already been started at the County level. General discussion followed.

MOTION TO  
ADJOURN

The motion to adjourn (8:15 P.M.) was offered by Bruce Wideman, seconded by David Lyon and passed with 4 ayes.

Respectfully submitted,

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

January 22, 1981

3

The regular meeting of the Town Board of the Town of Palmyra was called to order by Supervisor Kaempffe at 7:30 P.M. on Thursday, January 22, 1981 in the Town Office, 204 East Main Street, Palmyra, New York. Those present were led in the Pledge of Allegiance by Town Councilman Edwin Wheeler.

MEETING  
OPENED

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempffe, Town Councilmen Nelson Cook, Bruce Wideman and Edwin Wheeler.

ROLL CALL

A motion to dispense with the reading of and to approve as submitted the minutes of December 30, 1980 and January 8, 1981 was made by Nelson Cook, seconded by Edwin Wheeler and passed with 4 ayes.

MOTION TO  
APPR. MIN.  
OF 12/30 &  
1/8

Town Councilman David Lyon joined the meeting at 7:35 P.M.

Following a review of the Claims/Vouchers as listed on Abstract #1A, a motion was offered by Bruce Wideman to approve payment of Vouchers as shown on Abstract # 1A. Motion was seconded by Nelson Cook and passed with 5 ayes. The Vouchers were listed by Funds as follows:

MOTION TO  
APPR. PAY-  
MENT OF  
VOUCHERS ON  
ABSTR. #1A

|                      |                   |            |
|----------------------|-------------------|------------|
| GENERAL FUND         | Vouchers # 7 - 18 | \$2976.78  |
| PART TOWN FUND       | " # 3             | 750.00     |
| HIGHWAY ITEM III     | " # 5 - 13A,B     | 6898.02    |
| HIGHWAY ITEM IV      | " # 1 - 2A,B,C    | 2129.60    |
| NORTH WATER DISTRICT | " # 2             | 73.14      |
| SOUTH WATER DISTRICT | " # 3             | 48.74      |
| EAST WATER DISTRICT  | " # 3             | 24.37      |
| TOTAL                |                   | \$12900.65 |

Communications -

COMMUNICA-  
TIONS

(1) Letter with maps to Fred Kaempffe from the Palmyra Economic Development Corporation concerning three parcels the Corporation is working to develop. A motion was made by Fred Kaempffe, seconded by Edwin Wheeler to receive this communication as read and refer it to Committee # 5. Motion passed with 5 ayes.

PEDC

(2) Letter to Fred Kaempffe from the New York State Department of Health in regard to Public Water Supply - Finger Lakes Water Works Conference. This communication was referred to Committee # 3.

DEPT. OF  
HEALTH  
WATER CONF.

(3) Copy of a letter from Fred Kaempffe to Mayor MaryLou Wilson in regard to the closing of the Community Center in the Village Hall.

COMM. CTR.

(4) Memo to the Town Clerk from the Village Clerk concerning the use of a Voting Machine for the Village Election on March 17, 1981 - referred to Committee # 4.

USE OF  
VOT. MACH.

Before continuing the business of the meeting with the Reports of the Standing Committees, Supervisor Kaempffe stated that, as long as there was a group present who wished to show support for and talk about the Community Center, the Board would depart from the normal sequence and allow the people in the audience to speak pro, con or whatever their feelings are in regard to this matter, then the Board would commence the rest of the meeting. The following people attended: Dave Andrew, Tom Overmier, Jerry Kelly, Robert Goodness, Paul Goodness, Jim Ricciuto, Ron Pierson, Mark Vande, Richard Humphrey, Chuck Richards, Jim Sapienza, Jim Patridge, Ken Schade, Gary LaBerge, Roger McGee, Jim Campbell and Chuck Lyons of the Courier-Journal. Some of this group spoke to the Board and indicated their approval concerning the Town of Palmyra granting financial help (using Federal Revenue Sharing Funds) in the completion of the Community Center - others indicated their approval by their presence. Mes Sapienza, attorney for the Palmyra Community Center, spoke in regard to ways of financing the building of the gymnasium. The Town Board members also spoke concerning this matter as well as other concerns of the Town. Discussion included the need for the facility, ways of financing the completion - including the use of Federal Revenue Sharing Funds, pos-

DELEGA-  
TION TO  
SUPPORT  
COMM. CTR.



4  
DISCUSSION  
RE: COMM.  
GTR. CONT'D

sible completion date, and other priorities in the Town. A part of the discussion also included what the Town would consider as a commitment with David Lyon advising those present that the Town's best offer would be a total of \$50,000 - paid over a period of 3 years, 1981 - \$11,000 directly to the Palmyra Community Center and \$6,000 in in-kind services, 1982 - \$16,500 to the Palmyra Community Center and 1983 - \$16,500 to the Palmyra Community Center. Mr. Kaempffe advised that a decision on this matter would be brought before the Board under the proper Committee later in the meeting.

REQUEST  
FROM PEDC

Mr. Charles Richardson came before the Board at this time at the request of the Board of Directors of the Palmyra Economic Development Corporation to inform the Board that there may be a need for additional funds in 1981 and to ask that the Board give the PEDC some consideration when they allocate the Federal Revenue Sharing Funds. Mr. Richardson also informed the Board that Warner Strong has been added to the Board of Directors of the Corporation. He inquired concerning possible help from the County in regard applications for Grants and Mr. Kaempffe responded that Sharon Lilla of the Wayne County Planning Department is available for that kind of assistance.

The status of the Hershey Hill parcel and the possibility of a variety store coming unto Palmyra were briefly discussed.

CONCERNS  
SF DCO

Harold Fisher, Dog Control Officer, spoke briefly to the Board in regard to some areas of concern in Dog Control and Dog Licensing. He will meet with Town Councilman Edwin Wheeler prior to the next meeting to prepare some information to present at the next Board meeting.

REPORTS OF  
STANDING COMM.

Reports of Standing Committees -

COMM. # 1

Committee # 1 - Fred Kaempffe

FED. REV.  
SHAR. FUNDS

(1) Federal Revenue Sharing Funds - Mr. Kaempffe presented the following information on the status of the Federal Revenue Sharing Funds: \$33,000.00 (approximately) - unexpended, \$37,000.00 (approximately) per year for 1981, 1982 and 1983 making a total of \$144,000.00 (approximately) by the end of 1983. The Board discussed at length the use of the Federal Revenue Sharing Funds with each of the Board members speaking in regard to their own areas of need.

Town Attorney Paul Rubery joined the meeting at 9:00 P.M.

The following Resolution was offered by Mr. Kaempffe for the Board's consideration.

MOTION NO.

Motion number - 1981 - 0004

Date: January 22, 1981

8190004

Motion by: Fred Kaempffe, seconded by Nelson Cook

ALLOC. OF

Title: Allocation of Federal Revenue Sharing Funds

FED. REV.

Resolved, that the Town Board of the Town of Palmyra approve the allocation of Federal Revenue Sharing Funds as follows:

SHR. FUNDS

|        |                                     |          |        |                          |          |
|--------|-------------------------------------|----------|--------|--------------------------|----------|
| 1981 - | Bridges                             | \$20,000 | 1982 - | Palmyra Community Center | \$16,500 |
|        | Capital Funds - Machinery Reserve   | \$ 8,000 | 1983 - | Palmyra Community Center | \$16,500 |
|        | Palmyra Community Center            | \$17,000 |        |                          |          |
|        | Division Street - Industrial Devel. | \$10,000 |        |                          |          |
|        | Landfill- Equip.                    | \$ 5,000 |        |                          |          |

Motion passed with 4 ayes - Bruce Wideman abstained.

STATEMENT  
BY B. WIDEMAN

Mr. Wideman requested that the following statement be a part of the record to show his reasons for abstaining: "We have failed to realize that the cost of operating the Highway Department will increase significantly in the next few years, the cost of salt will go up, the cost of fuel oil will go up. We have no idea, really, what the impact or what the 1982 or 1983 Budget will look like, and I think we're making a grave mistake here, obligating this Board over the next 3 years to an expenditure of \$50,000, when in fact, this will ben-

efit only a few, not the majority of the taxpayers. I feel we're making a very drastic mistake."

Committee # 2 - David Lyon

COMM. # 2

(1) Change in Vacation Policy - Mr. Lyon stated that the Resolution he presented at the Organizational meeting on December 30, 1980 did not contain specific information concerning the change in the Vacation Policy. He advised the Board that the Vacation Policy which the Highway Committee agreed upon was as follows: 1 year of employment - 1 week of vacation, 3 years of employment - 2 weeks of vacation, 10 years of employment - 3 weeks of vacation and 20 years and up of employment - a maximum of 4 weeks vacation. The vote on this proposal was deferred to " Other Business " following Committee reports.

CHANGE IN  
VAC. POLICY

(2) Speeding Restrictions on South Creek Road - Mr. Lyon stated that there has been a constant problem in this area. He advised that a letter will go out to Mrs. Bosje and a letter will go to the Wayne County Sheriff's Department requesting increased surveillance. The Highway Committee doesn't feel further Speeding restrictions are necessary but the restrictions which are there require enforcing.

SPEED RES.  
SO. CRK. RD.

Committee # 3 - Nelson Cook

COMM. # 3

(1) Water - Referring to Communication # 2, Mr. Cook spoke briefly to the Board concerning the up coming Finger Lakes Water Works Conference to be held February 5th and hoped that other members of the Board could attend as there would be some pertinent information at this meeting for the Town of Palmyra.

CONFER. ON  
WATER

Committee # 4 - Edwin Wheeler

COMM. # 4

(1) Mobile Home Park Inspections - Mr. Wheeler reported that representatives of the Town (Zoning Officer J. Roney, Bruce Wideman and himself) inspected the Mobile Home Parks in the Town of Palmyra on Saturday, January 10th. They found no violations at this time but the Park owners were advised that Mr. Roney might make an inspection later, during better weather.

MOBILE HOME  
PARK INSP.

(2) Use of a Voting Machine by Village of Palmyra - Communication # 4. This request was deferred to " Other Business ".

USE OF VOT.  
MACHINE

Committee # 5 - Bruce Wideman

COMM. # 5

(1) Village/Town Office Consolidation - Mr. Wideman presented plans to the Board members for their consideration. Following a review of the plans, the Board members indicated their approval by initialing the plans.

OFFICE  
CONSOLID.

Other Business -

A motion was offered by Fred Kaempffe requesting approval to discuss the revaluation of assessments in the Town of Palmyra. Motion was seconded by David Lyon and passed with 5 ayes.

OTHER  
BUSINESS  
MOTION RE  
DISC. OF  
REVALUATIO  
OF ASSESS  
MENTS

Mr. Kaempffe and Mr. Rubery presented the background on the revaluation of assessments which was done by Cal-Span in 1976-1977. A revaluation at the County level is expected in 2 years and Palmyra will be doing an up-date in the Spring of 1981. The suggestion of a mailing by the Assessor at the direction of the Town Board to inform the taxpayers of the revaluation was discussed with funds from the General Fund - Contingency Account to cover the costs. Mr. Roney also spoke to the Board on this matter and Mr. Kaempffe indicated that this matter will be on the agenda of the next meeting, February 12, 1981.

Town Councilman Bruce Wideman left the meeting at this time - 9:45 P.M..

A motion was offered by David Lyon requesting approval to present resolutions concerning Vacation Policy and Sick Leave Policy for Highway employees to the Town Board for their consideration. Motion was seconded by Nelson Cook and passed with 4 ayes.

MOTION TO  
DISC. VAC.  
& SICK  
LEAVE POL.

MOTION NO.  
81-0005

SICK LEAVE  
POLICY

Motion number: 1981 - 0005 Date: January 22, 1981  
Motion by: David Lyon, seconded by Edwin Wheeler  
Title: Interpretation of Sick Leave Policy  
Whereas, a Resolution establishing Rules and Regulations to govern vacations and sick leave of the Highway employees was adopted at a Town Board meeting on December 15, 1960, and  
Whereas, an explanation of re-imbursement for Sick Leave has been requested by a member of the Highway crew, and  
Whereas, the Highway Committee has researched this matter and discussed the same with the Town Board,  
Now Therefore Be It Resolved, that Section 5 of the Resolution - Vacation and Sick Leave Plan - adopted by the Town Board of the Town of Palmyra on December 15, 1960 be interpreted as follows:

" To the extent the Town has been reimbursed by a Contributory Program paid in whole or in part by contributions from the employee, then the employee shall receive additional sick days as computed by dividing his average daily pay for 8 hours into the total amount received as reimbursement to the Town while the employee is on disability leave from the Town. The resultant figure shall be the additional number of sick days to which the employee is entitled. The days absent while sick or on disability will be counted against the sick leave and upon the employee's return the additional sick days as computed above will be added to the balance of sick leave credited to that employee "

Motion passed with 4 ayes.

MOTION NO.  
81-0006

VACATION  
SCHEDULE

Motion number: 1981 - 0006 Date: January 22, 1981  
Motion by: David Lyon, seconded by Fred Kaempffe  
Title: Addition to Vacation Schedule  
Whereas, Section 3 - Vacations - of the Resolution for Vacation and Sick Leave Plan adopted on December 15, 1960 was changed by motion of the Town Board on October 8, 1969 to read:

1. After one year's service - one week vacation
2. After three year's service - two weeks vacation
3. After ten year's service - three weeks vacation

Now Therefore Be It Resolved, that the Town Board of the Town of Palmyra approve the following addition to the Vacation schedule approved by a motion of the Town Board of the Town of Palmyra at a regular meeting on October 8, 1969 -

For twenty (20) years and up of service - a maximum of four (4) weeks vacation.

Motion passed with 4 ayes.

MOTION TO  
DISC. 5  
ITEMS

A motion was made by Edwin Wheeler requesting approval to discuss with the Board five items under " Other Business" and to present Resolutions for their consideration. Motion was seconded by Fred Kaempffe and passed with 4 ayes.

MOTION NO.  
81-0007

USE OF VOT.  
MACHINE

Motion number: 1981 - 0007 Date: January 22, 1981  
Motion by: Edwin Wheeler, seconded by Nelson Cook  
Title: Use of Voting Machine  
Resolved, that the Town Board of the Town of Palmyra grant approval to the request of the Village of Palmyra for the use of a Voting Machine for their Village Election on March 17, 1981.

Motion passed with 4 ayes.

MOTION NO.  
81-0008

TICKETS TO  
DELINQ. DOG  
OWNERS

Motion number: 1981 - 0008 Date: January 22, 1981  
Motion by: Edwin Wheeler, seconded by Fred Kaempffe  
Title: Issuance of Appearance Tickets to Delinquent Dog Owners  
Resolved, that authority be granted by the Town Board of the Town of Palmyra to Dog Control Officer Harold Fisher for the issuance of Court Appearance Tickets to owners of dogs not licensed within 30 days after the expiration of the previous year's license.  
Motion passed with 4 ayes.

Motion number: 1981 - 0009 Date: January 22, 1981  
Motion by: Edwin Wheeler, seconded by Nelson Cook  
Title: Approval of Contracts  
Resolved, that the Town Board of the Town of Palmyra approve the following Contracts for 1981:

7  
MOTION NO.  
81-0009  
APPR. OF  
CONTRACTS

Contract between the Town of Palmyra and the Palmyra Emergency Volunteer Ambulance Service.

Contract between the Town of Palmyra and the Palmyra Community Center

Contract between the Town of Palmyra and the Palmyra Kings Daughters Free Library.

Motion passed with 4 ayes.

A motion was offered by David Lyon, seconded by Edwin Wheeler that letters be sent to the Palmyra Emergency Volunteer Ambulance Service and the Palmyra Fire Department in regard to the consolidation of ambulance service. Motion passed with 4 ayes.

MOTION TO  
SEND  
LETTERS  
RE: CONSOL.  
AMBUL. SER.

Motion number: 1981 - 0010 Date: January 22, 1981  
Motion by: Edwin Wheeler, seconded by Nelson Cook  
Title: Approval of Mobile Home Park Permits for 1981  
Resolved, that the Town Board of the Town of Palmyra, acting in the capacity of the Board of Health, approve the 1981 Annual Permits for the following Mobile Home Parks:

MOTION NO.  
81-0010  
APPR. OF  
MOB. HOME  
PK. PERMIT

1. Pulcini's Trailer Park, 2. Northside Trailer Park, 3. Valley View Mobile Manor, 4. Marquart's Mobile Manor, 5. Waterways Trailer Park, 6. Blondell's Trailer Park (now owned by Morganti), 7. McMann's Trailer Park (now owned by Willoughby).

Motion passed with 4 ayes.

A motion was offered by Edwin Wheeler, seconded by David Lyon to delete the item "Other Business" from the agendas of the Town Board of the Town of Palmyra. Motion passed with 4 ayes.

MOTION TO  
DELETE  
OTHER BUS.

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

MOTION TO  
ADJOURN

Respectfully submitted,

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



February 12, 1981

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was called to order by Supervisor Kaempfe at 7:30 P.M. on Thursday, February 12, 1981 in the Town Office, 204 East Main Street, Palmyra, New York. Those present were led in the Pledge of Allegiance to the Flag by Town Councilman Edwin Wheeler.

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempfe, Town Councilmen Nelson Cook and Edwin Wheeler.

Others attending were: Town Highway Superintendent James DeBrine, Assessor Judson Roney and C. Lyons, of the Courier-Journal.

MOTION TO  
APPR. MIN.  
1/22/81

A motion was offered by Edwin Wheeler, seconded by Nelson Cook to dispense with the reading of and approve as submitted, the minutes of January 22, 1981. Motion passed with 3 ayes.

Town Councilman David Lyon and Town Attorney Paul Rubery joined the meeting at this time.

MOTION TO  
PAY BILLS  
ABST. #1B  
& #2

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Nelson Cook, seconded by Fred Kaempfe to approve payment of the Claims/Vouchers as shown on Abstract #1B and Abstract #2. Motion passed with 3 ayes - Edwin Wheeler abstained on Voucher #23 on Abstract #2. Vouchers were listed by Funds as follows:

ABSTRACT #1B

|                      |                   |            |
|----------------------|-------------------|------------|
| GENERAL FUND         | Voucher # 19 - 21 | \$6164.02  |
| HIGHWAY ITEM IV      | " # 3 - 4         | 5514.57    |
| SOUTH WATER DISTRICT | " # 4             | 12.44      |
|                      |                   | <hr/>      |
|                      |                   | \$11691.03 |

ABSTRACT #2

|                       |                    |            |
|-----------------------|--------------------|------------|
| GENERAL FUND          | Vouchers # 22 - 45 | \$ 3035.50 |
| PART TOWN FUND        | " # 4 - 8          | 27297.25   |
| FED. REV. SHAR. FUNDS | " #                | -----      |
| HIGHWAY ITEM III      | " # 14 - 32A, B    | 2562.20    |
| HIGHWAY ITEM IV       | " # 5 - 11         | 14274.36   |
| NORTH WATER DISTRICT  | " # 3 - 5          | 953.34     |
| SOUTH WATER DISTRICT  | " # 5              | 450.00     |
| EAST WATER DISTRICT   | " # 4 - 5          | 139.23     |
|                       |                    | <hr/>      |
|                       |                    | \$48711.88 |

Town Councilman Bruce Wideman joined the meeting at 7:40 P.M.

COMMUNICA-  
TIONS

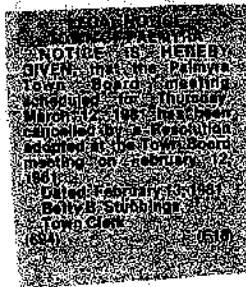
Communications -

- (1) Letter from Automatic Voting Machine Corporation - referred to Edwin Wheeler - Committee # 4
- (2) Letter from the Palmyra Economic Development Corporation to Joseph Powers - Dept. of Transportation concerning some surplus State Property
- (3) Letter from Wayne County Cablevision, Inc., Franchise Fees included - referred to Nelson Cook - Committee # 3.
- (4) Letter & Enclosure from Sharon Lilla concerning Solar Access Zoning.
- (5) Letter to Fred Kaempfe from Monroe County Water Authority
- (6) Letter to Fred Kaempfe from Marion Crane in regard to Galloway Bridge Project.
- (7) Notice of Public Hearing by Public Service Commission in regard to request of New York State Electric & Gas for rate increase - a copy of this communication is to go to Nelson Cook. Edwin Wheeler expressed his opposition to the rate increase and asked that the Board go on record as being opposed to a raise in rates, if not in person at the hearing, then by letter. Mr. Cook was directed to send a letter to the Commission.
- (8) Letter from A. Paul Reynolds Insurance Company
- (9) Letter to Fred Kaempfe from the Wayne County Sheriff's Office in regard to request for Speed Restr. tion on South Creek Road.
- (10) Letter from Sharon Lilla - Solar Access Zoning Update - Communic. #4
- (11) East Palmyra Fire Department Roster - January 1, 1981 - A motion was offered by Edwin Wheeler to accept the East Palmyra Fire Department Roster as submitted. Motion was seconded by Bruce Wideman and passed with 4 ayes - David Lyon abstained.



# AFFIDAVIT OF PUBLICATION

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



Rosalfe 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. 18, 1981

*Rosalfe J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 18 day of Feb 1981

*Michael J. Brown*  
Notary Public

Fee: \$ 4.27

82

(12) Memo from the Planning Board concerning the PEDC development parcels.  
Committee # 1 - Fred Kaempffe

9  
COMM. # 1

(1) First Board meeting in March - Mr. Kaempffe notified the Board that he would not be available for the first regular Board meeting on March 12th and asked that the Board make a decision whether to hold the meeting and take care of what business there might be or to cancel the meeting. Following discussion, a Resolution was offered:

MAR. 12th  
BR. MTG.

Motion number: 1981 - 0011 Date: February 12, 1981

MOTION NO.

Motion by: Bruce Wideman, seconded by Nelson Cook

81-0011

Title: Cancellation of the March 12th Town Board Meeting

3/12 MTG.

Resolved, that the regular Town Board meeting of March 12, 1981 be cancelled, and, if at the discretion of the Supervisor a meeting is needed prior to the meeting scheduled for March 26th, the Supervisor will call a meeting.

CANCELLED

Motion passed with 5 ayes.

(2) Revaluation of Assessments - Mr. Kaempffe asked Assessor Judson Roney to speak to the Board in regard to the update to be done this year on the property assessments in the Town of Palmyra. Mr. Roney had given a memo to each of the Board members which included a timetable to accomplish the update. There will be 2 Public hearings in Palmyra and 1 Public hearing in East Palmyra to answer any questions the public may have. Mr. Roney informed the Board that assessments basically would increase up to 10% in the Town (outside the Village) and increase approximately up to 15% in the Village. The Board was asked to approve a request of \$900 to cover the expenses of this update over and above the Assessor's budgeted amount for 1981. This would include mailings and clerical help. Mr. Kaempffe advised the Board that there would actually be 2 stages in revaluating the Assessments - the 1st stage will be done by Mr. Roney this year and the 2nd stage will be done by the County in 1982. An update was done in 1978 and should have been done again in 1980 - the Town is actually a year behind. This matter was discussed at length with Mr. Roney advising the Board that he has an article in the Courier-Journal concerning the update and with the Board questioning several points, such as, equalization rate, notice of assessment, assessing farm land in different areas of the County, etc. Following this discussion, a resolution was offered for the Board's consideration.

ASSESS.  
REVAL.

Motion number: 1981 - 0012 Date: February 12, 1981

MOTION NO.

Motion by: Bruce Wideman, seconded by Fred Kaempffe

81-0012

Title: Approval of Funding for Assessment Revaluation

APPR. OF

Resolved, that the Town Board of the Town of Palmyra approve the funding, in the amount of \$900, for the revaluation of property assessments in the Town of Palmyra, approve the transfer of \$900 from Contingent Account A1990.4 to Assessor's Contractual Expense Account A1355.4, and authorize Assessor Judson Roney to hire a part-time clerk as needed, in addition to Judith McIntyre, Clerk in the Assessor's Office - hourly wage not to exceed \$3.35 per hour.

FUNDING

ASSESS.  
REVAL.

Motion passed with 4 ayes.

(3) Federal Revenue Sharing Funds - Town Councilman Nelson Cook questioned Mr. Kaempffe concerning the memo on the change in the initial estimate of Federal Revenue Sharing Funds to be received by the Town of Palmyra over the next three years.

FED. REV.  
SHAR. FUNDS

Committee # 2 - David Lyon

(1) Galloway Bridge - Referring to Communication #6 from Marion Crane, Chairman of the Wayne County Highway Committee and Richard Vanderlinde, County Superintendent of Highways, Mr. Lyon advised the Board that there will be a meeting at 1:30 P.M. on Wednesday, February 25th in the Wayne County Highway Superintendent's Office, Bonto

Office, Route 31, Lyons, New York to discuss the Galloway Bridge Project.

SAFER ROADS  
BOND ISSUE

FAGNER RD.

(2) Safer Roads Bond Issue - Fagner Road - Mr. Lyon requested Town Highway Superintendent James DeBrine to report to the Board on the status of this project. Mr. DeBrine advised the Board that the survey work was done, amounts of acreage determined, the price was set at the December 30th meeting and Mr. Rubery has drawn up the purchase options involving less than 3 acres overall. In order to proceed with this project, Board approval for the purchase of the land is required. The following Resolution was offered for the Board's consideration:

MOTION NO.

81-0013

LAND PURCH.

FAGNER RD.

Motion number: 1981 - 0013 Date: February 12, 1981  
Motion by: Edwin Wheeler, seconded by Bruce Wideman  
Title: Safer Roads Bond Issue - Fagner Road, Approval to Purchase Land  
Resolved, that the Town Board of the Town of Palmyra approve the purchase of land necessary to complete the road work on Fagner Road under the Safer Roads Bond Issue for 1981, price for the land will be as determined by Motion number 1980 - 0177 - December 30, 1980 -- \$100 per acre for Woods, \$315 per acre for cornfield and \$75 per acre for swamp.  
Motion passed with 4 ayes - David Lyon abstained.

COMM. # 3

WATER

Committee # 3 - Nelson Cook  
(1) Water - Mr. Cook reported to the Board on the Finger Lakes Water Works Conference which he attended on February 5th. He stated that a number of items discussed at the meeting were relevant to the Town of Palmyra, such as, a Water Rate Study and what it involves, meter reading, monies and Grants available, water supplies, common problems with other areas. Discussion followed in regard to water supply, particularly for the North Water District, and getting started with applications for Grants.

(2) Landfill - Mr. Cook reported that Kevin Wright has completed the necessary paper work for his business, Wright's Disposal Service but there is a question concerning the truck yardage which Mr. Cook will check on.

STREET  
LIGHTING

(3) New York State Electric & Gas Corporation - Street Lighting in Palmyra  
Mr. Cook advised the Board that he met with Bill Wilson of the New York State Electric & Gas Corp. concerning the Street Lighting Contracts. Mr. Wilson advised him of the increase being requested at the Public Hearing with the Public Service Commission. During the discussion by the Town Board on this matter, Highway Superintendent DeBrine advised the Board that there are several lights out and he is quite certain they have been reported. It was determined that regular checking of these lights is not a part of routine maintenance. Mr. Cook expects to receive information in regard to location of the lights and will plan on doing a review to determine the need for the number of lights we now have in the Town of Palmyra.

COMM. # 4

Committee # 4 - Edwin Wheeler

(1) Dogs - Mr. Wheeler's report was deferred to the March 26th meeting.

COMM. # 5

Committee # 5 - Bruce Wideman

(1) Town/Village Office Consolidation - Mr. Wideman presented the bill from Robert Sherman in the amount of \$1730.00 for the Town's share of Engineering costs for the Town/Village Office Complex. This bill will be included on Abstract # 2A - February 26, 1981.

Mr. Wideman reported that he had met just prior to the Town Board meeting with representatives of the Village of Palmyra in regard to the Town/Village Office Complex. He delivered a letter dated February 12, 1981 to the Town Board from the Village of Palmyra in regard to a Village/Town Cooperation Agreement. The communication listed 16 conditions. Mr. Wideman reviewed the letter with the Board members and stated that the Village of Palmyra indicated this was

their final offer and the dead-line to reply is February 16, 1981. The Board discussed the letter and its contents and the following Resolution was offered for the Board's consideration:

Motion number: 1981 - 0014

February 12, 1981

Motion by: Fred Kaempfe, seconded by David Lyon

Title: Refusal of Village/Town Cooperation Agreement

Resolved, that the Town Board of the Town of Palmyra authorize the Supervisor to return the letter/agreement to the Village of Palmyra with a letter stating that the letter/agreement is totally unsatisfactory, the conditions listed and the timetable are totally unacceptable, there will be no further work and the project is dead.

Motion passed with 4 ayes - Edwin Wheeler abstained.

(2) Palmyra Economic Development Corporation - Parcels for development. Mr. Wideman stated he would have a report and his recommendations at the next meeting. There was a brief discussion on the memo from the Planning Board - Communication # 12.

Mr. Kaempfe spoke briefly to the Board in regard to the Parker Scholarship Program.

The motion to adjourn this meeting was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes.

Respectfully submitted,

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

11  
TN/VILL.  
OFFICE -  
CONF'D  
MOTION NO.  
81-0014  
REFUSAL--  
VILL/TN  
AGREEMENT  
RE: OFFICE  
COMPLEX

PEDC

MOTION TO  
ADJOURN

February 26, 1981

MEETING  
OPENED

The Regular meeting of the Town Board of the Town of Palmyra was called to order by Supervisor Kaempffe at 7:30 P.M. on Thursday, February 26, 1981 in the Town Office, 204 East Main Street, Palmyra, New York. Mr. Kaempffe also led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempffe, Town Councilmen David Lyon, Nelson Cook and Bruce Wideman. Town Councilman Edwin Wheeler was absent.

MOTION TO  
APPR. MIN.  
2-12-81

A motion to dispense with the reading of and approve as submitted the minutes of February 12, 1981 was offered by Nelson Cook, seconded by David Lyon and passed with 4 ayes.

MOTION TO  
PAY CLAIMS  
ON ABSTR. 2A

Following a review of the Claims/Vouchers, a motion was made by Nelson Cook, seconded by Bruce Wideman to approve payment of the Vouchers as shown on Abstract # 2A. Motion passed with 4 ayes. The Claims/Vouchers were listed by Funds as follows:

Abstract # 2 A -

|                      |                    |                   |
|----------------------|--------------------|-------------------|
| GENERAL FUND         | Vouchers # 46 - 57 | \$ 3678.54        |
| PART TOWN FUND       | " # 9 - 10         | 1311.90           |
| HIGHWAY ITEM III     | " # 33 - 44        | 1376.25           |
| HIGHWAY ITEM IV      | " # 12 - 14A-E     | 6886.22           |
| SOUTH WATER DISTRICT | " # 6              | 13.81             |
| CAPITAL FUND         | " # 1 - 2          | 7881.00           |
| TOTAL                |                    | <u>\$21147.72</u> |

COMMUNICA-  
TIONSCommunications -

1. Letter from NYS Dept. of Labor, Div. of Safety & Health advising of new legislation passed in 1980. This communication was referred to Mr. DeBrine.
2. Letter from the Chamber of Commerce in regard to a dinner meeting to be held on March 2nd.
3. Copy of a letter from Nelson Cook to Public Service Commission concerning a request of NYS Electric & Gas for a rate increase.
4. Letter from Wayne County Action Programs, Inc., Weatherization Dept. - this communication was referred to Councilman Wheeler.
5. Letter from the Racing & Wagering Board - Bingo Division concerning an application of the Palmyra Moose Lodge #1420 for a Bingo Identification number - referred to Mr. Wheeler.
6. Mr. Kaempffe reported that he had received a call from Mrs. Ruth VanderMaillie concerning dead calves on or next to her property. This matter was referred to Councilman Bruce Wideman and he advised the Board he would check out this problem.

COMMITTEE  
REPORTS  
COMM. # 1Reports of Standing Committees -Committee # 1 - Fred KaempffeBUDGET

(1) Budget - Mr. Kaempffe and the Councilmen discussed budgets in general with comments from Mr. Kaempffe in regard to the 1980 performance, a suggestion from the Board members to send a letter to Department heads reminding all of the need to live within the 1981 Budget, and, remarks concerning the 1982 Budget and how to determine the tax dollars needed.

ANNUAL REPORTS

(2) Annual Reports - Following a brief review and some discussion which included a request for some changes, the Board decided to defer the approval of the Annual Reports to the next meeting. This would also allow time for Town Councilman Wheeler to review the reports.

ASSESSMENT  
UPDATE

(3) Assessment Update - Mr. Kaempffe requested Assessor Judson Roney to report to the Board on the status of the Assessment Up-date. Mr. Roney informed the Board that Mrs. Roger Schwing has been hired as part time help, that



# **AFFIDAVIT OF PUBLICATION**

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



Rosalie J. Mawton, 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. 25, 1981

*Rosalie J. Mawton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 26th day of February, 1981.

*Bernice F. DeVolder*  
Notary Public

Fee: \$ 6.10

BERNICE F. DeVOLDER  
Notary Public, State of New York  
Qualified in Monroe County  
My Commission Expires March 30, 1982

the first letter advising property owners of the Assessment Update will go out between March 24th and 26th, that the first public meeting will be held on April 6th at the Palmyra-Macedon High School, the second meeting will be held on April 20th at the East Palmyra Fire Hall, another meeting will be held at the Palmyra-Macedon High School on May 4th and Grievance Day this year will be Tuesday, June 16th. Mr. Roney and the Board also discussed compliance with the State Law in regard to an Assessment Update.

Committee # 2 - David Lyon

(1) Preliminary Planning for the Landfill Takeover - Mr. Lyon reported that his Committee and the Highway Department are working on the Landfill Take-over. They are looking at some equipment possibilities. This matter was discussed briefly and the following Resolution was offered for the Board's consideration.

Motion number: 81-0015 Date: February 26, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Authorization to submit bids for Surplus Equipment

Resolved, that the Town Board of the Town of Palmyra grant authorization to the Supervisor to submit bids for surplus equipment (bull-dozers) at the Wayne County Highway Department and the Town of Macedon.

Motion passed with 4 ayes.

(2) Galloway Bridge - Mr. Lyon reported that a meeting was held on February 25th with the County and State to discuss Galloway Bridge and problems related to it. It was agreed that a split responsibility exists and another meeting was scheduled for March 25th to review the progress. There is a possibility of some work being done this summer.

(3) Status of new Truck - Mr. Lyon informed the Board that the new truck is not yet ready for close-out. The Highway Committee is considering the purchase of a new Spreader box and Mr. DeBrine is checking on a used plow. The truck, fully equipped, may not be completed until next Fall.

Town Councilman Bruce Wideman asked if there had been any checking done on the possible need for a sign on Hammond Road where Garnsey Road comes into it. His suggestion was for either a double arrow on the West side of Hammond Road or a Stop - Ahead sign on Garnsey Road. Mr. Lyon indicated he would check into this matter.

Continuing on Highway business, Mr. Lyon reported that several of the Town Highways have been posted for a 4 ton limit due to the conditions of the roads.

At this time, Councilman Lyon advised the Board that he and Councilman Nelson Cook inspected the Bingo operation at the Palmyra VFW on Tuesday, February 17th. Both Mr. Lyon and Mr. Cook turned in their inspection sheets to be filed.

Committee # 3 - Nelson Cook

1. Street Lighting - Mr. Cook reported that he and Councilman Lyon did a night time inspection of the Street lighting in the Town of Palmyra and found that the lighting in the East Palmyra area is sufficient and will remain the same, but recommended that the other intersections throughout the Town be cut by 9 lamps from a total of 21. The following Resolution was offered for the Board's consideration.

Motion number: 81-0016 Date: February 26, 1981

Motion by: Nelson Cook, seconded by David Lyon

Title: Approval to Eliminate 9 Lights from Intersections in the Town of Palmyra

Resolved, that the Town Board of the Town of Palmyra approve the elimination of at least 9 Street lights from the intersection in the Town of Palmyra.

Under discussion, David Lyon stated that the Committee is not removing all lights from any of the intersections and Nelson Cook stated that the Committee is being practical and trying to conserve.

Motion passed with 4 ayes.

13.

ASSESS.  
UPDATE  
CONT'D

COMM #2

LANDFILL

MOTION NO

81-0015

AUTHOR.  
TO SUBMIT  
BIDS

GALLOWAY  
BRIDGE

NEW  
TRUCK

POSSIBLE  
SIGN ON  
HAMMOND

HWYS.  
POSTED

BINGO  
INSPECT.

COMM#3

ST. LGT.

MOTION NO  
81-0016

APPR. TO  
ELIM. LGTS

DECISION  
RE: LGT.  
AT HANLEY  
& RT 31

Mr. Cook also reported that the request for a light at the intersection of Hanley Road and Route 31 was investigated and reviewed. The Committee recommended that a letter be sent from the Board to Mr. Schmidt advising him that, after study and observing the intersection traffic flow, the Board has agreed not to erect a light at that intersection at this time.

PAL. COMM. CTR.

BIDS FOR  
GYM

(2) Palmyra Community Center - Mr. Cook informed the Board that the bids for the construction of the new gymnasium at the Palmyra Community Center will be opened on Wednesday, March 11, 1981 at 3 P.M. at the Palmyra Community Center on Stafford Street.

WATER

M. METERS

(3) Water -

a. Master Meters - Mr. Cook stated that all the meters are in working order and there are no problems.

TN. WIDE  
WATER DIST.

b. Proposed Town-wide Water District - Mr. Cook indicated there was nothing to report at this time.

DIV. ST.  
DRAIN. PROB.

c. Division Street Drainage Problem - Mr. Cook advised the Board that he would need better weather to continue checking on that problem.

Committee # 4 - Edwin Wheeler

COMM. # 4

No reports at this meeting as Mr. Wheeler was not in attendance.

COMM. # 5

Committee # 5 - Bruce Wideman

WHEELER  
APPLIC.

(1) Application to replace trailer - Mr. Gordon Wheeler made application to replace a trailer on the Gilfus property on Garnsey Road. This application was reviewed by the Board and following some discussion, a resolution was offered for the Board's consideration.

MOTION NO.

Motion number: 81-0017

Date: February 26, 1981

81-0017

Motion by: Bruce Wideman, seconded by Nelson Cook

APPLIC. TO  
REPL. TRL.

Title: Approval to replace trailer

Resolved, that the Town Board of the Town of Palmyra approve the application of Gordon Wheeler to replace an existing trailer on the Gilfus Property - Garnsey Road with a trailer which is 15 feet longer.

Motion passed with 4 ayes.

(2) Russell Collision Shop - This matter was deferred to later in the meeting.

PEDC

DEV. PROP.

(3) Palmyra Economic Development Corporation - Development Properties. Councilman Wideman, in reporting on his review of the 3 development properties, suggested to the Board that the Kent Street property be given more thought before turning it over to the PEDC. In regard to the other 2 properties, one being the Hershey Hill Gravel Pit, Mr. Wideman advised that the most expedient way to handle these properties was to amend the Zoning Ordinance, coming before the Town Board in the form of a hearing or petition the Board for a change of use similar to a Special Authorization request. He would want to consult with the Town Attorney concerning these proposals. Mr. Wideman's report led to a discussion on the adoption of a new Zoning Ordinance and Map. Discussion included (a) setting up a plan of action and timetable, (b) a suggestion from Supervisor Kaempfe for a workshop meeting, (c) contacting Wayne County Planning Office for any assistance which would be available, (d) reviewing the Zoning maps of the Village of Palmyra and Macedon, and (e) a progress report if possible by March 26th. Mr. Wideman also indicated that he would try to meet with Frank Kaeberle, Chairman of the Planning Board.

DISC. RE:  
NEW ZON. ORD

RECESS

A brief recess was called while waiting for Town Attorney Paul Rubery to join the meeting.

DOG DAMAGE  
CLAIM

Assessor Judson Roney, at this time, advised the Board of a serious dog damage claim which he and DCO Harold Fisher had been called on to investigate. The DCO was able to pick up the dog and verify the owner and Mr. Roney assessed

the damage which included 5 geese, 1 turkey, 2 chickens, 1 rooster and 4 or 5 ducks. Reports will be turned over to the County Treasurer's Office and the Claim for damages will be processed thru that office.

At 8:40 P.M. Town Attorney Paul Rubery arrived and Supervisor Kaempfe re-opened the Town Board meeting.

The Board returned to Item # 2 under Committee # 5 - Russell Collision Shop on Stafford Road. Mr. Wideman advised the Board that he and Mr. Roney had met with the attorney for an interested buyer on this property. The attorney informed them that the possible purchaser would clean up the property, paint, do some general improvements to the property with the intention of doing collision work, repair service and selling used cars. Mr. Wideman stated that as long as collision and repair work has been done in that location, he didn't feel with the additional request to sell cars, there was an extension of a pre-existing, non-conforming use and the Board could grant approval to the request. Zoning Officer Roney posed the question as to why this request was coming before the Town Board - the property in question is in a Residential Zone and any requests of this nature should go before the Zoning Board of Appeals. Both Supervisor Kaempfe and Councilman Lyon indicated that this request should go thru normal channels, following the Rules & Regulations of the Zoning Ordinance. Town Attorney Rubery spoke to the Board concerning this property and it's past history. Mr. Roney also spoke to the Board concerning his research on the Russell Collision Shop. Mr. Rubery indicated that he had discussed this property at the Zoning Board of Appeals meeting on Tuesday and the problem for the Zoning Board is to determine the definition of a Body Shop vs. Repair Shop. Following considerable discussion, it was agreed by the Town Board that this request should be referred to the Zoning Board of Appeals.

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

MEETING  
RE-OPENED

DISC. RE:  
RUSSELL  
COLLISION  
SHOP

REFER TO  
ZON. BD. OF  
APPEALS  
MOTION TO  
ADJOURN

Respectfully submitted,

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

March 26, 1981

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was called to order by Supervisor Kaempffe at 7:30 P.M. on Thursday, March 26, 1981 in the Town Office, 204 East Main Street, Palmyra, New York. Those present were led in the Pledge of Allegiance to the Flag by Town Councilman Edwin Wheeler.

ROLL CALL

At Roll Call, the following Town Officers were present: Supervisor Fred Kaempffe, Town Councilmen Bruce Wideman, Nelson Cook and Edwin Wheeler.

Interested persons or those having business to come before the Board were: Town Highway Superintendent James DeBrine, Chuck Lyons of the Courier-Journal, Jean Eustance of the Newark Courier-Gazette, Ann Tyler, William Hood, Donald Sinclair, Charles Richardson and Calvin Bucknam.

MOTION TO  
APPR. MIN.  
OF 2/26/81

A motion was made by Bruce Wideman to dispense with the reading of and approve as submitted the minutes of February 26, 1981. Motion was seconded by Edwin Wheeler and passed with 4 ayes.

MOTION TO  
PAY VOUCHERS  
ON ABSTR. 2B  
& 3

Following a review of the Claims/Vouchers submitted for payment, a motion to approve payment of the Vouchers as shown on Abstract # 2B and Abstract # 3 was offered by Nelson Cook, seconded by Fred Kaempffe. Motion was passed with 4 ayes - Edwin Wheeler abstained on Voucher # 61. The Vouchers were listed by Funds as follows:

Abstract # 2B -

|                 |                    |            |
|-----------------|--------------------|------------|
| GENERAL FUND    | Vouchers # 58 - 59 | \$ 5049.36 |
| HIGHWAY ITEM IV | " # 15             | 579.21     |
| TOTAL           |                    | \$ 5628.57 |

Abstract # 3

|                               |                    |            |
|-------------------------------|--------------------|------------|
| GENERAL FUND                  | Vouchers # 60 - 86 | \$ 6606.41 |
| PART TOWN FUND                | " # 11 - 15        | 2248.59    |
| HIGHWAY ITEM I                | " # 2              | 10.00      |
| HIGHWAY ITEM III              | " # 45 - 68        | 1758.63    |
| HIGHWAY ITEM IV               | " # 16 - 22        | 16158.69   |
| FEDERAL REVENUE SHARING FUNDS | " # 1              | 1000.00    |
| NORTH WATER DISTRICT          | " # 6 - 7          | 45.12      |
| SOUTH WATER DISTRICT          | " # 7              | 15.20      |
| EAST WATER DISTRICT           | " # 6              | 17.71      |
| TOTAL                         |                    | \$27860.35 |

COMMUNICA-  
TIONSCommunications -

- (1) A letter from the Palmyra-Macedon Central School, J. McGovern, District Clerk - a request for the use of 2 voting machines for the School Budget vote on June 3, 1981. The Clerk was asked to inform Mr. McGovern that the request was granted.
- (2) Notice from New York State Department of Transportation establishing a "No Stopping Anytime" on Route 21 at the Cole Road area.
- (3) A letter from New York State Department of Environmental Conservation advising the Board of an inspection of the Sanitary Landfill on March 10, 1981.
- (4) Notice of a series of Workshops by New York State Department of Environmental Conservation on Resource Recovery - Procurement & Financing.
- (5) Thank you from the Nelson Cook family.

COMM. REPORTS Reports of Standing Committees -COMM. #5

Committee # 5 - Bruce Wideman

PEDC - DEV.  
PROPERTIES

- (1) Palmyra Economic Development Corporation - In reporting to the Board concerning the 3 possible development properties, Mr. Wideman stated that his recommendations on the Kent Street property and the lowland area ( Division St., Quaker Road, Maple Ave.), in order to expedite the development, would be to have the Town Board follow the procedure as set forth in the Zoning Ordina-



ance in regard to Agriculture Zone - that is, the principles would petition the Town Board for a Public Hearing to request Special Authorization to use the property.

PEDC DEV.  
PROP.  
CONT'D

The third development property, the Hershey-Hill gravel pit area on Division Street, is now zoned Residential and Mr. Wideman's recommendation was to start the procedures to change the Zoning to a Light Industrial Zone but he asked that further discussion on this matter be deferred until Town Attorney Paul Rubery arrived at the meeting.

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

Discussion on the development properties continued with C. Richardson of the Palmyra Economic Development Corporation speaking to the Board in regard to the procedures being contemplated by the Board and stating that time is an important factor. The Division Street property also will need water for the development in this area. Mr. Richardson was assured that the Town Board intends to move as quickly as possible to clear the way for the development of the properties.

(2) Zoning Ordinance and Zoning Map - Mr. Wideman stated that in his opinion the Town Board should start over on the formation of a new Zoning Ordinance and Map, making use of the Revised version which has been in the makings for several years. He has received considerable information from John Steele of the Wayne Co. Planning Office and will proceed to get a plan and timetable set up. He is optimistic that something will be ready for the Board by the first of the year.

ZON. ORD.  
&  
ZON. MAP

(3) Wayne County Planning Seminar - April 1st. Mr. Wideman indicated that he informed the Planning Office that Supervisor Kaempffe and Town Councilman Nelson Cook will attend this Seminar and he will also attend if at all possible.

WAYNE CO.  
PL. SEMINAR

(4) Applications for Permits for the Disposal of Human Waste -

DISPOSAL  
PERMITS

Applications from Gerald East and Donald East were presented to the Board for their review. All fees have been paid and all papers have been filed except for a copy of Donald East's State Permit. The following Resolution was offered:

Motion number: 1981 - 0018 Date: March 26, 1981

MOTION NO.

Motion by: Bruce Wideman, seconded by Edwin Wheeler

81-0018

Title: Approval of Permits to Dispose of Human Waste

APPR. OF  
DISP. PERM.

Resolved, that the Town Board of the Town of Palmyra approve the applications of Gerald East and Donald East for Annual Permits for the Disposal of Human Waste on property in the Town of Palmyra. Donald East's permit to be contingent upon receipt of a copy of his State Permit prior to the next Town Board meeting.

Motion passed with 5 ayes.

(5) William Hood's Renewal Application for License to operate an Auto Junkyard on Trolley Road in the Town of Palmyra. Mr. Wideman referred to a letter from Zoning Officer Judson Roney in which Mr. Roney stated that there were violations in the operation of the junkyard and his recommendations was that the application be denied. Mr. Wideman stated that there were and had been in the past a number of conflicts involving neighbors, Town officials, personalities, law enforcement but, he felt Mr. Hood had been 95% cooperative in following the Board's requests. He also stated that he never recalled the former owner, Bernard Pulcini, being required to clean up and install fencing although the same conditions existed and this brought up the question of treating the operation equally. Mr. Kaempffe directed comments to Mr. Hood concerning the amount of time which has elapsed since Mr. Hood assured the Town Board that the yard and area would be cleaned up and screening erected. Discussion continued with Mr. Hood explaining how he has worked to comply with the conditions and what he hopes to accomplish to improve the area. The following Resolution resulted from the discussion:

W. HOOD'S  
APPLIC.  
FOR LIC.  
TO OPER-  
ATE JUNK  
YARD

Motion number: 1981 - 0019

Date: March 26, 1981

Motion by: Bruce Wideman, seconded by Fred Kaempffe

MOTION NO.

81-0019

COND. OPER.  
PERMIT FOR  
JUNKYARD

Title: Approval of a Conditional Operation of Auto Junkyard for 90 days.  
Resolved, that the Town Board of the Town of Palmyra approve a temporary operating permit be granted to William Hood for the conditional operation of an Auto Junkyard on Trolley Road for a period of 90 days contingent upon clean-up and completion of the fence across the front. Prior to June 1, 1981, the Town Board will re-inspect the Junkyard and at that time will determine the issuance of the Annual Permit for the operation of the Junkyard.

Motion passed with 5 ayes.

Mr. Hood stated he felt he could live with these conditions but wished to make comments in regard to Mr. Roney's letter which he felt contained some errors.

W. HOOD'S  
STATEMENT  
FOR RECORD

Mr. Kaempfe asked Mr. Hood to make a statement for the record. Mr. Hood's remarks were as follows:

"On Page 2 of the letter - the copy I got says - Town Justice William Abbott reports on March 11, 1981 that in the past 9 months William Hood has been fined - once for having cars parked in front of the Junkyard and once for failure to have screening (fence) - that's not so, those facts are not true, he never said either of those things because neither of those things happened. I was cited by a State Trooper - sometimes they get carried away on things like this - for not having my fence up - and he didn't understand what was going on but he didn't want to listen." Fred Kaempfe - "Did that go to Judge Abbott - the State Trooper?" William Hood - "Yeah - Well, I got a summons for it, but I didn't have my fence - it was completely down - I was working digging the trench - had my back-hoe working and he was wondering why I didn't have my fence, I tried to explain but he didn't want to hear it (just gave me the summons) - Judge Abbott gave me 6 months to get my fence back across the front of my property, so that was a lot of the reason why I hurried up and didn't get -----Muddled----- but that was incorrect and I wish in the future he would get things a little more clear because --if you read that and you didn't know who I was and came in - right off the bat, I'm hung before I even get started."

Fred Kaempfe - "If there's anything else that's not correct - state your side of it so we can have it for the record"

William Hood - "Yeah, that's the only thing."

Fred Kaempfe - "See you in 90 days".

TYLER APPLIC.

(6) An application from Harlin Tyler to operate a Furniture repair and Upholstery business at his residence was presented to the Board and the following Resolution was offered:

MOTION NO.

81-0020

APPR. TO  
ADV. PUB.  
HRG. - TYLER

Motion number: 1981 - 0020

Date: March 26, 1981

Motion by: Bruce Wideman, seconded by Edwin Wheeler

Title: Approval to Advertise for Public Hearing - Harlin Tyler

Resolved, that the Town Board of the Town of Palmyra advertise for a Public Hearing to be held at 7:30 P.M. on Thursday, April 23, 1981 in the Town Office, 204 East Main Street, Palmyra, New York to consider the application of Harlin Tyler for Special Authorization to operate a Furniture repair and Upholstery business at his residence at 4961 Tallier Road. Said application to be referred to the Planning Board for their recommendations.

Motion passed with 5 ayes.

BUSH APPLIC.

(7) Application of William Bush to erect a power Windmill & Accessory Shed. Mr. Wideman, in presenting this application stated that this might be the first of many such applications as people start to consider this approach to the energy problem. Mr. Kaempfe said he had talked with Mrs. Bush concerning their hopes to create a self-sufficient living site using a "back to earth" approach. Mr. Kaempfe stated that the Town Board should look at this application very closely and gain some "track experience". The following Resolution was offered for the Board's consideration:

Motion number: 1981 - 0021

Date: March 26, 1981

MOTION NO.

81-0021

Motion by: Bruce Wideman, seconded by David Lyon

Title: Approval to Advertise for Public Hearing - William Bush

Resolved, that the Town Board of the Town of Palmyra advertise for a Public Hearing to be held at 7:40 P.M. on Thursday, April 23, 1981 in the Town Office, 204 East Main Street, Palmyra, New York to consider the application of William Bush to erect a Power windmill and accessory shed on property on Parker Road. Said Application to be referred to the Planning Board for recommendations.  
Motion passed with 5 ayes.

MOTION NO.  
81-0021-  
PUB. HRC.  
BUSH

At this time, the Board returned to Item 1 under Committee # 5 - Development properties discussed earlier in the meeting. Mr. Wideman consulted Town Attorney Paul Rubery in regard to the Board's decision to have the principles interested in the Kent St. property and the lowland area apply for Special Authorization in order to expedite the development of these properties. Mr. Rubery was in agreement with this decision. The Board then sought Mr. Rubery's advice in regard to the re-classifying of the Hershey-Hill area, now zoned Residential, to a Light Industrial Zone, by amending the Zoning Ordinance and Zoning Map. The Board, along with the Town Attorney and Mr. Richardson of the PEDC discussed this proposal to change the classification and it was determined this would be the quickest way to accomplish the necessary changes to open that area for development. The following Resolution was offered for the Board's consideration:

DISC. ON  
DEV. PROP.

Motion number: 1981 - 0022 Date: March 26, 1981  
Motion by: Bruce Wideman, seconded by David Lyon  
Title: Approval to advertise for Public Hearing to consider amending the Town of Palmyra Zoning Ordinance and Zoning Map

MOTION NO.  
81-0022  
PUB. HRC

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, April 23, 1981 in the Town Office, 204 East Main Street, Palmyra, New York to consider an amendment to the Zoning Ordinance and Zoning Map of the Town of Palmyra to reflect a change in the Zoning Classification from Residential to Light Industrial of property located on Division Street known as the Hershey Hill Gravel Pit. The proposed change in Zoning was referred to the Planning Board for their recommendations.  
Motion passed with 5 ayes.

AMEND  
ZON. ORD

More discussion followed with Mr. Richardson stating that he didn't think this would do it - considering the time limit involved. Both Mr. Kaempffe and Mr. Wideman responded that they were sure it would work. Mr. Wideman will research the Light Industrial approach and asked for in-put from the PEDC in outlining what should be included in a Light Industrial classification.

Committee # 4 - Edwin Wheeler

COMM. #4  
DOG CON-  
TROL

(1) Dog Control - Mr. Wheeler reported to the Board in regard to a meeting with DCO Harold Fisher and Town Clerk Betty Stubbings at which time the service charges and fees for Dog Control were discussed along with items concerning the licensing of dogs under the new Dog Law. The following Resolution was offered for the Board's consideration:

Motion number: 1981 - 0023 Date: March 26, 1981  
Motion by: Edwin Wheeler, seconded by Nelson Cook  
Title: Approval to Increase Service Charges & Fees for Dog Control

MOTION NO.  
81-0023  
APPR. TO  
INCR. DOG  
FEES

Resolved, that the Town Board of the Town of Palmyra approve the following increases in Service Charges and Fees to be paid for Dog Control in the Town of Palmyra:

1. Increase Pick-up fee from \$5.00 to \$7.00 plus mileage
2. Delivery of dog to Humane Socie. \$7.00 plus mileage
3. Increase Boarding fees from \$3.00 to \$5.00 per day

Above fees to be retroactive to January 1, 1981

4. Establish Service Charge for Court Appearance Ticket at \$8.00 plus mileage (to be collected from person receiving ticket)

20

MOTION NO.  
81-0023  
CONT'D

DOG COM-  
PLAINTS

COMM # 3  
WATER  
M. METERS

COMM. # 2  
FAGNER RD.

RT. 21 -  
SIGNING BY  
STATE AT  
COLE RD.

SOUTH CREEK  
RD. - SIGN  
POSTED

PURCHASE OF  
LANDFILL EQUIP

MOTION NO.  
81-0024

APPR. TO  
PURCH. SURP.  
EQUIP.

5. Adoption of dogs - Person will pay the \$7.00 pick-up fee plus boarding fee of \$5.00 per day

Under discussion, Mr. Wheeler explained the points of the Resolution, some of which were new fees established for the first time.  
Motion passed with 5 ayes.

(2) Complaints - The Clerk spoke briefly to the Board concerning complaints received by the DCO in regard to garbage storage at one of the Trailer Parks. Mr. Fisher has attempted to solve the problem. The Board instructed the Clerk to refer this matter to the Zoning Officer to check out.

Committee # 3 - Nelson Cook

Mr. Cook advised the Board that a problem concerning the Master Meters for the Water Districts had been brought to his attention and he will investigate this matter.

Committee # 2 - David Lyon

(1) Fagner Road - Town Highway Superintendent James DeBrine came before the Board to report that the maps and options papers for the purchase of land necessary to complete the road improvement on Fagner Road have gone out but he has received nothing back. The Clerk indicated that option papers have been received for part of the land to be conveyed for this project and requested information concerning charges for the filing fees. These fees should be charged to the Fagner Road Project under Highway Item I.

(2) Notice of signing by State on Route 21 (Communication #2) -

The Board discussed with Mr. DeBrine the signing of Route 21 in the area of Cole Road which established a "No Stopping Anytime" restriction. Included in the discussion was a recommendation from Mr. DeBrine that Cole Road also be posted both sides, West off Route 21 for 175 feet. Suggestions in regard to this matter included sending a letter to the owners of the establishment creating the parking problem, requesting them to take measures to correct the problem. Mr. DeBrine indicated that several warnings have been issued to the owners. It was agreed that Supervisor Kaempffe should send a letter to the owners indicating the Board's concern for the safety of people because of the parking problem and asking that steps be taken to correct the hazardous situation.

(3) South Creek Road Speeding Problem - Mr. Lyon reported that on March 4, 1981 the Town Highway Department posted a sign in the South Creek Road area as suggested by the letter from the Wayne County Sheriff dated February 24, 1981.

(4) Purchase of Equipment for Landfill - Mr. Lyon reported that the Town of Palmyra had been the successful bidder for a piece of surplus equipment put up for bid by Wayne County. Mr. Lyon offered the following Resolution:

Motion number: 1981 - 0024

Date: March 26, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Approval to Purchase Surplus Equipment for Landfill

Resolved, that the Town Board of the Town of Palmyra approve the purchase of a 1970 - 951 Caterpillar Traxcavator from the Wayne County Parks Commission for the amount of \$12,501.76 for use at the Town of Palmyra Sanitary Landfill when the Town takes over the operation of the Landfill on June 1, 1981. Funds will be taken from the following amounts: Capital Funds - Machinery Reserve \$5,000, Federal Revenue Sharing Funds for Landfill Equipment - \$5,000 and \$2500 from the General Fund - Landfill Account.

Motion passed with 5 ayes.



Supervisor Kaempffe reported briefly to the Board in regard to a meeting at the County level with Larsen Engineers concerning the progress in establishing a County-wide Landfill. On April 2nd Larsen Engineers will present preliminary figures to the Towns of Arcadia and Galen - 2 possible sites. General feeling is that the project is moving along well.

COUNTY -  
WIDE LANDFILL

Mr. Kaempffe also reported to the Board on the meeting he and J. DeBrine attended on March 25th concerning the Calloway Bridge Project. At this meeting a series of commitments were made. The County has allocated \$40,000 of Federal Revenue Sharing Funds, the Town of Palmyra has allocated \$20,000, the State has committed trucks, a large shovel and guard rails. Don Crowley, Wayne County Attorney and Paul Rubery, Town of Palmyra Attorney will work on acquisition of land and trespass options necessary to do the project. Jon Edinger, District Engineer for the Department of Transportation and Richard Vanderlinde, Wayne County Highway Superintendent are also working to get the project under motion. There will be another meeting on April 30th at 1:30 P.M.

CALLOWAY  
BRIDGE  
PROJECT

Mr. DeBrine discussed briefly with the Board the use of the voting machines and the storage of same.

VOT. MACH.

Mr. DeBrine also informed the Board that a Stop-Ahead Sign was erected last September on Garnsey Road - this was a subject of discussion at the February 26th meeting. Mr. Wideman asked about the possibility of a double-arrow sign on the West side of Hammond Road.

SIGN ON  
GARNSEY  
ROAD

Committee # 1 - Fred Kaempffe

COMM. #1

(1) Real Estate Tax Exemption - The following Resolution was submitted for consideration by the Board:

SR. CIT.  
TAX EX.

Motion number: 1981 - 0025

Date: March 26, 1981

Motion by: David Lyon, seconded by Bruce Wideman

MOTION NO

Title: Income Ceiling for Real Estate Tax Exemption

81-0025

WHEREAS, Section 467 (3) (a) of the New York State Real Property Tax Law allows municipalities, including towns, to set the income ceiling level (not to exceed \$9,200 per annum) relative to eligibility for fifty percent real estate tax exemption, and

REAL ES-  
TATE TAX  
EXEMPTION

WHEREAS, a public hearing was held in the Town Office on 24 January 1980 on the subject of increasing the income ceiling for senior citizens owning residential real estate, with the intention of increasing the ceiling from \$6,000 to \$7,200 effective 1 January 1980, and

WHEREAS, it is considered to be in the economic interest of the Town to give consideration to the problems of senior citizens,

NOW THEREFORE BE IT RESOLVED, that persons resident within the Town of Palmyra who in all other aspects and requirements of Section 467 of the New York State Real Property Tax Law are eligible for exemptions on real estate taxes, shall be exempt if their annual income from all sources does not exceed \$7200. The benefit intended to be bestowed by this resolution shall be retroactive to the calendar year commencing 1 January 1980.

Motion passed with 5 ayes.

(2) Funds for Senior Citizens Recreation Program - Mr. Kaempffe reported that approval has been received for matching funds in the amount of \$1800 for a Senior Citizen Recreation Program in the Town of Palmyra and referred to a letter from Palmyra Community Center Director Jim Campbell concerning some proposed programs for which the funds will be used.

SR. CIT.  
REC. PROGR.

(3) Annual reports - A motion was offered by Bruce Wideman, seconded by Edwin Wheeler to approve the Annual Reports as submitted by the following Town Officers: Supervisor, Town Clerk, Town Justices, Assessor and Town Historian. Motion passed with 5 ayes.

MOTION TO  
APPR. ANN.  
REPORTS

Town Councilman Wheeler asked those who could be present to attend the audit of the Town Justices' books on Saturday, April 4th at 9:00 A.M. in the Court Room.

TN. JUST.  
AUDIT

(4) Financial Report - The February report showed no big variances except for the Water Districts and this matter is being checked by Nelson Cook.



(5) Town office Resolutions - The Clerk was requested to read the following Resolution into the record:

MOTION NO.

Motion number : 1981 - 0026

Date: March 26, 1981

81-0026

Motion by: Fred Kaempffe, seconded by Nelson Cook

Title: Purchase of Town Facility

PURCHASE  
OF TN.  
FACILITY

WHEREAS, the Town Board of the Town of Palmyra, Wayne County has established a Capital Reserve Fund for the acquisition or improvements of a Town Office or facility, and

WHEREAS, the Town of Palmyra, by resolution, started the said Capital Reserve Fund with the sum of \$5,000.00 in Account #H1620.2 on the basis that the total fund would not exceed \$200,000.00, which resolution was adopted subject to the laws of the State of New York requiring a permissive referendum upon the filing of an appropriate petition, and

WHEREAS, no petition was filed, and

WHEREAS, on or about December 17, 1980, the Town Board of the Town of Palmyra transferred \$30,000.00 from surplus funds (formerly Revenue Sharing Funds) to the aforesaid Capital Reserve Fund Account # H1620.2 after a public hearing as required by applicable laws and rules, and

WHEREAS, the Town of Palmyra now has a Capital Reserve Fund for acquisition or improvements to a Town Office or facility of \$35,000.00, and

WHEREAS, the lease for the present Town Office space expires May 1, 1981, and

WHEREAS, the Town of Palmyra is in need of facilities for Town Offices, and

WHEREAS, the Town of Palmyra has acquired a contract, dated March 23, 1981, to purchase a building at the corner of William Street and Main Street in the Village of Palmyra, commonly known as 201 East Main Street, for a sum not to exceed \$35,000.00 exclusive of closing cost, subject to approval of the Town Board and compliance with the applicable laws and rules.

NOW THEREFORE, BE IT RESOLVED:

That the Town Board of the Town of Palmyra ratifies and confirms the contract, dated March 23, 1981, between Fred A. Kaempffe as Supervisor of the Town of Palmyra and John Chapman and Eric Chapman for the sale of 201 East Main Street, Palmyra, New York, for a sum not to exceed \$35,000.00, and approve the acquisition of said land, buildings, and improvements for the Town of Palmyra subject to the applicable laws and rules, and the marketability of title, and

BE IT FURTHER RESOLVED:

That the Town of Palmyra shall pay the contractual cost of said property from the Capital Reserve Fund Account # H1620.2 previously established for the acquisition and improvements of Town facilities, and

BE IT FURTHER RESOLVED:

That the Town of Palmyra shall, from surplus funds, pay the cost incidental to the acquisition of said building and land, and

BE IT FURTHER RESOLVED:

That the Supervisor and Town Clerk of the Town of Palmyra are hereby authorized and empowered to execute any and all papers necessary and to do any and all acts necessary to complete the transfer to the Town of Palmyra.

At this time, Don Sinclair stated that he came to the meeting because he read of the Town's proposed purchase of the building at 201 East Main Street and wished to state that he didn't feel it was in the best interest of the Town to make this purchase. He felt the Town and Village should continue to work towards a consolidation of Village/Town Offices in the Village Hall or elsewhere. Calvin Bucknam also spoke in regard to being in favor of more negotiations to consolidate the Town/Village offices. Both also agreed that they were not in favor of taking another piece of property on Main Street off the tax rolls. Considerable discussion followed with all Board members as well as Mr. Sinclair and Mr. Bucknam participating. Supervisor Kaempffe spoke to those present in regard to the details leading up to the Board's decision on February 12th to call off any agreements with the Village concerning office facilities. He referred to the ultimatum contained in a letter from the Village listing 16 conditions with a reply requested by February 16th.

The motion to approve the Resolution - Purchase of Town Facility, was made by Fred Kaempffe, seconded by Nelson Cook.

More discussion followed with Mr. Kaempffe advising that the Town would certainly consider a consolidated government. Nelson Cook informed those pres-

DISCUSSION

ON MOTION  
TO PURCHASE  
TN. FACIL.

ent that the Village would have to move to dissolve. Mr. Kaempfe also spoke concerning other properties the Board had checked out before deciding on the Knapp Building.

The Resolution was passed with the following vote: Supervisor Kaempfe - aye, Town Councilman David Lyon - aye, Town Councilman Nelson Cook - aye. Town Councilmen Bruce Wideman and Edwin Wheeler abstained because of conflicts of interests.

(6) Resolution for Transfer of Funds

Motion number: 1981 - 0027 Date: March 26, 1981

Motion by: Fred Kaempfe, seconded by David Lyon

Title: Transfer of Funds

Resolved, that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of \$1000.00 from Federal Revenue Sharing Fund Account # CF9950.9 - Transfer to Capital Funds - (Interfund Transfers) to Capital Funds - Housing Facilities - Account # H1620.2.

Motion passed with 5 ayes.

The motion to adjourn this meeting was offered by Bruce Wideman, seconded by Fred Kaempfe and passed with 5 ayes.

Respectfully submitted,

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

DISC.  
CONT'D

VOTE ON  
RESOL.

MOTION  
NO.

81-0027

TRANS. OF  
FUNDS

MOTION  
TO ADJ.

April 9, 1981

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was called to order by Supervisor Kaempffe at 7:30 P.M. on Thursday, April 9, 1981 in the East Palmyra Fire Hall, East Palmyra, New York. Town Councilman Nelson Cook led those present in the Pledge of Allegiance to the Flag with Duane Hobbs as Flag Bearer.

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempffe, Town Councilmen Nelson Cook, Bruce Wideman, Edwin Wheeler and David Lyon.

Interested people attending or those having business to come before the Board were: Town Attorney Paul Rubery, Assessor Judson Roney, Duane Hobbs, William Guest, Harry Wilkins, Margaret DeNeef, Fred Lawson, Lyman Kaller, Ralph Stubbings, Chuck Lyons, Ann Tyler, Roy Wilck, Linda Guest, Peter & Rita Burm, Allyn Cator, and Jean Eustance.

MOTION TO  
APPR. MIN.

3/26/81

A motion to dispense with the reading of and approve as submitted the minutes of March 26, 1981 was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 5 ayes.

MOTION TO  
PAY BILLS

Following a review of Claims/Vouchers submitted for payment, a motion was offered by Bruce Wideman, seconded by Nelson Cook to approve payment of the Vouchers as shown on Abstract # 3A and Abstract # 4. Motion passed with 5 ayes. Edwin Wheeler abstained on Voucher # 95 and David Lyon abstained on Voucher #3 - Highway Item I. The Vouchers were listed by Funds as follows:

ABSTR. #3AAbstract #3A

|                      |                   |            |
|----------------------|-------------------|------------|
| GENERAL FUND         | Vouchers #87 - 92 | \$11985.14 |
| PART TOWN FUND       | " #16 - 17        | 365.27     |
| HIGHWAY ITEM IV      | " #23 - 24        | 592.70     |
| NORTH WATER DISTRICT | " # 8 - 9         | 140.51     |
| SOUTH WATER DISTRICT | " # 8 - 9         | 67.99      |
| EAST WATER DISTRICT  | " # 7 - 8         | 18.13      |
| GENERAL FUND         | " #93 - 94        | 500.00     |
| TOTAL                |                   | \$13669.74 |

ABSTR. # 4 Abstract # 4

|                      |                    |            |
|----------------------|--------------------|------------|
| GENERAL FUND         | Vouchers #95 - 105 | \$ 8162.57 |
| PART TOWN FUND       | " #18 - 19         | 249.99     |
| FEDERAL REV. SHARING | " # 2              | 5000.00    |
| HIGHWAY ITEM I & IA  | " # 3 - 4          | 477.20     |
| HIGHWAY ITEM III     | " #69 - 80         | 13387.30   |
| HIGHWAY ITEM IV      | " #25              | 3849.15    |
| NORTH WATER DISTRICT | " #10              | 4.61       |
| SOUTH WATER DISTRICT | " #10 - 11         | 47.93      |
| EAST WATER DISTRICT  | " # 9 - 10         | 17.23      |
| CAPITAL FUNDS        | " # 4 - 6          | 7958.03    |
| TOTAL                |                    | \$39154.01 |

COMMUNICA-  
TIONSCommunications -

- (1) Letter from Hershey-Malone Associates in regard to the Route 31 East Water Main and Water Services Contracts.
- (2) Letter from the Wayne County Planning Board in regard to a County - wide Zoning Seminar May 13th.
- (3) Letter from New York State Parks & Recreation concerning proposed cuts in Historic Preservation.
- (4) Letter to Town Councilman Nelson Cook from the State of New York Department of Public Services in regard to Street Lighting Rates.

REPORTS OF  
STANDING  
COMMITTEESReports of Standing Committees -

Committee # 1 - Fred Kaempffe

(1) Senior Citizen Health & Recreation Program - Mr. Kaempffe reported that the Town has been notified that the application for matching funds in the amount of \$1800 has been approved. These funds will be administered through the Palmyra Community Center and the Director, James Campbell and will be used Town wide. Mr. Kaempffe asked that suggestions be offered concerning any programs which might be of interest. Town Councilman Nelson Cook stated that he had attended a Palmyra Community Center Board meeting and indicated that Jim Campbell is trying to reach all the Senior Citizens in the Town of Palmyra and would appreciate any help in that area. Mr. Cook also spoke to those present concerning a Summer Soft Ball Program which Mr. Campbell will be setting up and he will be looking for some help for the East Palmyra area. Anyone who might be interested was asked to contact Jim Campbell. Mr. Kaempffe spoke briefly in regard to the GASH Program which the Town of Palmyra has been working on and he indicated that Wayne CAP will be having another program to cover other areas which were not included in the present program now being completed.

COMM.#1  
SR. CIT.  
PROGRAM

Town Committee # 2 - David Lyon

COMM.#2

(1) South Creek Road sign - Mr. Lyon stated that as a result of a complaint concerning the speeding on South Creek Road coming into the populated area, the Sheriff's Department did a survey and recommended a sign which has been erected as was reported at the March 26th meeting.

SO. CRK.  
ROAD

(2) Mr. Lyon reported that the Town Highway Crew has been concerned with some general cleaning up - picking up debris which has accumulated through the winter and repairing areas where the plows did some damage.

TN. CREW

(3) Galloway Bridge - Mr. Lyon spoke to those present concerning the bad condition of this bridge and stated that it might be closed at anytime. Supervisor Kaempffe is coordinating a joint project with the Town, County and State to correct the problem. The alternative is that the bridge will be declared unsafe and will be closed.

GALLOWAY  
BRIDGE

(4) East TownLine Road - This road has now been closed for over a year and this has created a problem for the residents and landowners. The status of this road as of now is that it is "on hold" - no decision has been made. It will be considered this Fall at the County level as a project for next year. It was suggested that petitions asking for a decision in regard to this road be presented at the County.

EAST TOWN  
LINE ROAD

Returning to the subject of the Galloway Bridge, Roy Wilck asked Mr. Lyon about the possibility of putting up a sign a week or so ahead of the start of the project to inform those who make regular use of the bridge and Mr. Lyon agreed this probably would be done plus a notice would also be published in the paper. Duane Hobbs asked what was the determining factor in regard to safety of this bridge and Mr. Kaempffe replied that there is an inspection done annually by the State and a rating system is followed - a 1 means the bridge has to be closed. The last inspection of this bridge was rated a 2. Mr. Kaempffe also advised the group that a weight limit has been posted and the School Board has been notified but the Town can only advise. The Supervisor explained the progress being made so far on this Joint Project - \$20,000 from the Town of Palmyra, \$40,000 from the County - the State Highway Department will donate men and equipment and the Department of Transportation - Canal Division will also be involved. At the present time, the legal problems with acquiring property and access to property are being worked out. The next meeting is scheduled for Thursday, April 30th. Roy Wilck questioned the timetable for this project and Mr. Kaempffe replied that it would be a long term project - probably months to complete after the legal technicalities are taken care of.

GALLOWAY  
BRIDGE



COMM. # 3WATERDIV. ST.(1) Committee # 3 - Nelson Cook

(1) Water - Mr. Cook reported that he had attended a meeting with John Steele, Wayne County Planner and Tony Malone of Hershey-Malone Associates to discuss the possibility of applying for grant money to extend the water service out Division Street and to hook-up for water at the Macedon-Palmyra Town Line on Quaker Road. He read a letter from Hershey-Malone Associates which included a Preliminary estimate of \$60,000 to extend the present water line 3000 L.F. northerly on Division Street and several comparable alternatives to solve the supply of water for the proposed development of Hershey-Hill Gravel Pit. Mr. Kaempfe also spoke concerning the potential of 3 alternative sources for water, those being the Town of Ontario, Town of Macedon and the Town of Williamson and there are other areas for a water supply which have not been investigated.

PUBLIC WATER  
SUPPLY

Mr. Cook also read a letter from the Department of Health concerning Public Water Supply. A Questionnaire was included - the State is compiling information on Public Water Supply as this is a State-wide problem.

STREET  
LIGHTING

(2) Street Lighting - Councilman Cook reported that he and David Lyon met with representatives of New York State Electric & Gas Corporation in regard to removing some Street lights from intersections in the Town of Palmyra. The Town has received approval from New York State Electric & Gas Corporation to turn off the lights as requested and the Town has until May 11th to make a definite decision. The Company has agreed to remove the lights as indicated by the Town on a one-time basis, free of charge. The removal of the lights could result in a possible \$1000 savings a year. The poles are marked and there will be inspections prior to April 23rd when the decision will be made concerning the number of lights to be eliminated. Discussion on this subject included remarks by Peter Burn who stated that 1 light at Route 31 and Caldesy Bridge is not sufficient and by Roy Wilck who stated that he recalled some lights were installed because of that area being a deer crossing. David Lyon joined the discussion and stated that only the lights at the intersection were involved in this decision. Mr. Cook informed those attending that the Town Board, being aware of continually rising costs, is trying to compensate - not trying to take away safety. He stated that lights at the designated intersections are out as of April 9th. He asked that people take notice and he would like comments concerning this project.

LANDFILL  
TREES FOR  
OLD SITE

(3) Landfill - Mr. Cook reported that, following up on a request from the Town Board, he checked on the availability of trees for planting at the old Landfill site on Carnsey Road. The State Supply is gone - nothing will be available until December. Trees are available from Pennsylvania but he has not made direct contact as yet - he wanted direction from the Board. David Lyon indicated that the Town should be able to plant 1000 trees per year with the help from local Scout troops who are looking for Public Service and Community Service projects and Mr. Lyon felt some trees should be ordered now.

COMM. # 4BINGOMOOSECommittee # 4 - Edwin Wheeler

(1) Bingo - Mr. Wheeler stated that the application for a Bingo License has been submitted by the Loyal Order of the Moose, Palmyra Lodge #1420 and the following Resolution was offered for the Board's consideration:

Motion number: 1981-0028

Date: April 9, 1981

Motion by: Edwin Wheeler, seconded by Bruce Wideman

Title: Approval of Bingo License for Palmyra Moose Club

Resolved, that the Town Board of the Town of Palmyra approve the Application for a Bingo License submitted by the Loyal Order of the Moose, Palmyra Lodge #1420 - approval contingent upon an inspection by the Town Board.

MOTION NO.

81-0028

APPR. OF  
BINGO LIC.

Under discussion, Mrs. DeNeef asked if there were plans to improve the parking area and Mr. Kaempfe replied that an additional parking lot has been completed by the Moose Club. Peter Burn asked if there are adequate safety exits and was advised that this factor would be checked at the time of the inspection.

Motion passed with 5 ayes.

(2) Mr. Wheeler asked that a report on the CASH Program be deferred.

(3) Mr. Wheeler advised the Board that the Justices Books would be available for audit on Saturday, April 11th at 9:00 A.M. in the Court Room at the Village Hall.

Committee # 5 - Bruce Wideman

(1) Appointments to the Planning Board and the Board of Assessment Review - Mr. Wideman indicated that these appointments will be made at the next meeting.

At this time, Mr. Kaempfe opened the meeting for any items of business or questions from the floor.

Town Attorney Paul Rubery reported on the purchase of the Knapp Building at 201 East Main Street. The closing costs will be \$320 for tax adjustment and \$8 for Filing and Deed fees. Everything is set for the closing except for the check from the Town.

Judson Roney, Assessor, reminded those present of the meetings concerned with the Assessment Update to be held in the East Palmyra Fire Hall on Monday, April 20th and in the Palmyra-Macedon High School on Monday, May 4th.

Ann Tyler indicated she is circulating a petition in regard to the bridge on East Town Line Road and was advised to send it to the Chairman of the Board of Supervisors. Harry Wilkins asked if the best solution wouldn't be to close the East Town Line Road and David Lyon responded that this is one of the alternatives to be looked at this Fall - the road cannot be barricaded unless it is declared an abandoned road and the decision is dependent on the County's decision concerning the bridge. The road is presently a Seasonal highway and is posted in the winter months and requires some maintenance the rest of the year.

Roy Wilck asked what roads were scheduled for repair this summer and was informed that Fagner Road is the work project for the Highway Crew this year. It is also expected that the County will be doing more work on North Creek Road this year.

Peter Burn wished to express his thanks to the Town Highway Department for fixing the intersection at Hogback Hill Road and East Palmyra-Port Gibson Road. He stated that it is 100% improved.

The motion to adjourn this meeting was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes.

Respectfully submitted,

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

MOTION NO.

81-00028

CONT'D.

AUDIT OF  
JUSTICE  
BOOKS

COMM. # 5

APPTS. TO  
PL. BD. &  
BD. ASSESS.

OPEN DISC

REPORT ON  
PURCHASE  
OF KNAPP  
BLDG.

MTGS. RE  
ASSESS.  
UPDATE

E. TN.  
LINE RD.  
PETITION

ROAD WORK  
PROJECT  
FAGNER  
RD.

THANKS TO  
HWY. CREW

April 23, 1981

PUBLIC  
HEARING  
OPENED  
TYLER

The Public Hearing advertised to be opened at 7:30 P.M. on Thursday, April 23, 1981 in the Town Office, 204 East Main Street, Palmyra, New York to consider the application of Harlin Tyler, 4961 Tallier Road in the Town of Palmyra for Special Authorization to conduct a Furniture Repair and Upholstery business at his residence was opened by Supervisor Kaempffe at 7:30 P.M. The Proof of Publication was read by the Clerk. Under discussion, the Clerk read a letter from Al & Norma Davis stating they had no objections to Mr. Tyler conducting this business at his residence. Mr. Tyler also stated that he had contacted the neighbors bordering his property and they have no objections. The recommendations from the Planning Board read by the Clerk were as follows:

"The Planning Board reviewed the application by Harlin Tyler at their regular meeting on April 14, 1981. As the workshop already exists on the property, there would be no traffic problems, there would be no other employees on the premises and there would be no outside storage of materials, the Planning Board recommends approval of the request for Special Authorization."

Mr. Kaempffe also stated for the record that the Zoning Enforcement Officer has no problem with the application. There being no one else who wished to speak in favor of or against this request, the hearing was declared closed by Supervisor Kaempffe.

HEARING  
CLOSED

PUBLIC  
HEARING  
OPENED  
BUSH

The Public Hearing scheduled to be opened at 7:40 P.M. on Thursday, April 23, 1981 in the Town Office, 204 East Main Street, Palmyra, New York to consider the application of William G. Bush, 2530 Parker Road for a Variance to the Town of Palmyra Zoning Ordinance to erect a windmill and accessory shed on his property was opened by Supervisor Kaempffe at 7:40 P.M. The Proof of Publication was read by the Clerk. The recommendations of the Planning Board read by the Clerk were as follows:

"The Bush windmill plans were also reviewed. The Board members unanimously recommended approval of the windmill plans. The Planning Board believes we will be seeing more requests of this nature in the future and it should be taken into consideration in revising the Zoning Ordinance."

Mr. Kaempffe asked that the record show that the Zoning Enforcement Officer also offered his opinion and there was no problem. Other than Mrs. Bush who stated she was all for it, there was no one who wished to speak in favor of or against this request and Mr. Kaempffe declared the hearing closed.

HEARING  
CLOSED

Town Councilman David Lyon joined the meeting at this time.

The regular meeting of the Town Board of the Town of Palmyra was called to order at 7:42 P.M. by Supervisor Kaempffe.

Those present were led by Town Councilman David Lyon in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempffe, Town Councilmen David Lyon and Nelson Cook.

PERSONS  
ATTENDING

Interested persons attending or those having business to come before the Board were as follows: Harlin & Ann Tyler, Sara Bush, Tom & Kay DeRue, Chuck Richardson, Bill & Elaine Hassler, Mr. & Mrs. Arthur Brown, Alice VanHout, Jean VanHout, Daniel Hollingshead, Jerry Strong, Terry Footer, Dick & Avis Carney, Tom & Barb Ray, Lyall & Ellen Rex, Gene & Linda Clemons, Gerry Frederick, Roland Zavada, Mr. & Mrs. Stanley Newfang, Herb Walton, Ken Hershey and Mr. Hill.

MOTION TO  
APPR. MIN.  
4/9/81

A motion was made by Nelson Cook to dispense with the reading of and approve as submitted the minutes of April 9, 1981. The motion was seconded by David Lyon and passed with 3 ayes.

Following a review of the Claims/Vouchers submitted for payment, a motion was offered by David Lyon, seconded by Nelson Cook to approve payment of the

# 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 at  
7:30 P.M. on Thursday, April  
23, 1981 in the Town Office,  
204 East Main Street,  
Palmyra, New York to  
consider the application of  
Harlin Tyler, 4981 Teller  
Road, for Special  
Authorization to conduct a  
Furniture Repair and  
Upholstery Business at his  
residence. These premises  
are located in an  
Agriculture Zone and are  
bounded on the West by  
lands of one Roger Hood,  
on the North by lands of the  
Pann Central, on the East  
by lands of Vincent Hood  
and on the South by Teller  
Road.  
Under the Town of  
Palmyra Zoning Ordinance,  
Article I, Section 1.1 (dd)  
does not define a Home  
Occupation as including  
any kind of repair work and,  
Article III, Section 3.2  
Paragraph b. Agricultural  
Zone states: Use of land  
other than for Farm pur-  
poses requires Special  
Authorization from the  
Town Board. Special  
Authorization is subject to  
Article VII, Section 7.1 of  
the Zoning Ordinance.

The said Town Board will  
at said time and place hear  
all persons in support of  
said application or any  
objections thereto. Persons  
may appear in person or by  
attorney or agent.  
Dated April 6, 1981  
By order of the Town  
Board of the Town of  
Palmyra  
Betty B. Stubbings  
Town Clerk  
(728)

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

April 8, 1981

Roselle J. Mouton  
Foreman of the Publisher

Subscribed and sworn to before me

this 9th day of April, 1981

Bernice F. DeVolder  
Notary Public

BERNICE F. DEVOLDER  
Notary Public, State of New York  
Qualified in Monroe County  
My Commission Expires March 30, 1982

(A8) Fee: \$ 17.69



# AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:  
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 at  
7:40 P.M. on Thursday, April  
25, 1981 in the Town Office,  
204 East Main Street,  
Palmyra, New York, to  
consider the application of  
William Bush, 1530 Parker  
Road for a Variance to the  
Town of Palmyra Zoning  
Ordinance to erect a wind  
mill (total maximum height  
of 77 feet) and accessory  
shed on his property. These  
premises are located in an  
Agriculture Zone and are  
bounded on the North by  
lands of one Kenneth  
Smith on the East by lands  
of one Theodore Uderitz on  
the South by lands of  
Donald Jeffery, Diane  
Jeffery and James Van  
Dusen and on the West by  
Barker Road.

Under the Town of  
Palmyra Zoning Ordinance  
Article IV, Section 2 and  
Schedule I, limits the height  
for residential uses to 35  
feet.  
The said Town Board will  
at said time and place hear  
all persons in support of  
said application or any  
objections thereto. Persons  
may appear in person or by  
attorney or agent.  
Dated April 8, 1981  
By order of the Town  
Board of the Town of  
Palmyra  
Bernice F. DeVolder  
Notary Public

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

.....April 8, 1981.....

.....

.....

.....

Rosalie J. Mouton  
Foreman of the Publisher

Subscribed and sworn to before me

this 9th day of April, 1981

Bernice F. DeVolder

Notary Public  
BERNICE F. DEVOLDER  
Notary Public, State of New York  
Qualified in Monroe County

Fee: \$ 15.56

My Commission Expires March 30, 1982

Vouchers as shown on Abstract # 4A. Motion passed with 3 ayes. The Vouchers were listed by Funds as follows:

|                      |                    |            |
|----------------------|--------------------|------------|
| GENERAL FUND         | Vouchers # 106-114 | \$ 2733.74 |
| PART TOWN FUND       | " # 20- 24         | 116.34     |
| HIGHWAY ITEM I & IA  | " # 5- 7           | 4498.64    |
| HIGHWAY ITEM III     | " # 81- 88         | 1072.62    |
| NORTH WATER DISTRICT | " # 11             | 3945.95    |
| SOUTH WATER DISTRICT | " # 12             | 2089.50    |
| EAST WATER DISTRICT  | " # 11             | 713.16     |
| CAPITAL FUNDS        | " # 7- 9           | 35314.50   |
| TOTAL                |                    | \$50484.45 |

MOTION TO  
APPR. PAY-  
MENT OF  
VOUCHERS ON  
ABSTR. 4A

Communications -

(1) Letter of April 13, 1981 from Frank Horton in regard to Internal Revenue Service ruling (80-55).

COMMUNICA-  
TIONS

(2) Letter of April 13, 1981 from the Supervisor of Macedon in regard to a Palmyra/Macedon Water Agreement.

Reports of Standing Committees:

REPORTS OF  
COMMITTEES

Committee # 1 - Fred Kaempffe

COMM. # 1

Nothing to report at this time.

Committee # 2 - David Lyon

COMM. # 2

(1) Palmyra Community Center - the Town Highway Crew have been working on the foundation for the new building (gym) at the Palmyra Community Center. This work is a part of the Town's commitment to the Palmyra Community Center on the building of the new gym.

PAL. COMM. CT

(2) Sanitary Landfill - The Highway and Landfill Committees have been working on the plans for the take-over of the operation of the Landfill by the Highway Department.

COMM. # 3

Committee # 3 - Nelson Cook

(1) Street Lighting - After investigating and experimenting with the eleven (11) Street lights turned off by the New York State Electric & Gas Corporation at the request of the Town Board, the Committee's recommendation to the Board was to remove the following six (6) lights: No. 41, No. 42-2 at the Intersection of Division St. and Maple Avenue, No. 164-1 at Vienna St. and Route 31, No 140-2 on Hammond Road, No 130-2, No. 130-3 at the Intersection of Callo-way Bridge and Route 31. The remaining five (5) lights are to be re-energized and left as previously operated.

ST. LIGHTIN

(2) Landfill - The Committee met with the Highway Department and they are in the process of getting things aligned ready for the take-over of the Landfill by the Highway Department on June 1, 1981.

LANDFILL

(3) Palmyra Community Center - The Town Highway Crew has been working at the construction site of the gym at the Community Center - the crew will be finished with their phase of the project April 24, 1981.

PAL. COMM. CT

(4) Water - Mr. Cook presented to the Board, on behalf of Helen Bennett, 908 Johnson Road, a petition with the names of 15 residents/property owners on Johnson Road requesting information and costs for the extension of the water line from the Village Line to the Ontario County Line. Mr. Cook indicated that the Valley View Trailer Park on South TownLine Road might be a possible addition to the petition.

WATER

Town Councilman Bruce Wideman joined the meeting at this time - 7:55 P.M.

Committee # 4 - Edwin Wheeler

COMM. #4

No report at this time as Mr. Wheeler was absent.

Committee # 5 - Bruce Wideman

COMM. #5

(1) Application of Harlin Tyler - the following Resolution was offered for the Board's consideration.

MOTION NO.

Motion number:

1981-0029

Date: April 23, 1981

81-0029

Motion by:

Fred Kaempffe, seconded by David Lyon

Title:

Approval of Special Authorization - Tyler

TYLERAPPLIC.

Resolved, that the Town Board of the Town of Palmyra approve the application of Harlin Tyler for Special Authorization to conduct a Furniture Repair and Upholstery business at his residence on Tellier Road in the Town of Palmyra. Motion was passed with 4 ayes.

(2) Application of William Bush - the following Resolution was offered for the Board's consideration.

MOTION NO.

Motion number:

1981-0030

Date: April 23, 1981

81-0030

Motion by:

Fred Kaempffe, seconded by Nelson Cook

Title:

Approval of William Bush application for a Variance

BUSHAPPLIC.

Resolved, that the Town Board of the Town of Palmyra approve the application of William Bush for a Variance to the Zoning Ordinance of the Town of Palmyra to erect a windmill and accessory shed on his property on Parker Road in the Town of Palmyra.

Motion passed with 4 ayes.

PUBLICHEARINGOPENEDPROPOSEDAMENDMENTTO ZON. ORD.

The Public Hearing scheduled for 8:00 P.M. Thursday, April 23, 1981 in the Town Office, 204 East Main Street, Palmyra, New York to consider a Proposed Amendment to the Town of Palmyra Zoning Ordinance and Zoning Map to reflect the creation of a Light Industrial Zone in an area presently zoned Residential (Hershey-Hill Gravel Pit-Division Street) was opened by Supervisor Kaempffe. The Proof of Publication was read by the Clerk. Supervisor Kaempffe opened the floor for statements from anyone who wished to speak in regard to this Proposed Amendment. Prior to statements by those attending the hearing, Bruce Wideman, Chairman of the Zoning Committee, spoke to those present concerning events leading up to the decision of the Board to hold a Public Hearing, including being approached by the Palmyra Economic Development Corporation to amend the Zoning Ordinance to include a Light Industrial District. Mr. Wideman then read the Amendment with the changes and additions to be considered as follows:

Page 4 - Section 2.1 Add LI Light Industrial District

Page 9 - Add: Section 3.4.5 Light Industrial District

(1) In Light Industrial Districts those uses which because of danger to the general public due to hazards of fire and explosion, including those uses where explosives, combustible gases of flammable liquids are manufactured or stored, shall not be permitted except upon Special Authorization of the Town Board according to the provisions of Article VII, Section 7.1, and only in conformance with the State Building Construction Code.

(2) No building or structure shall be erected, altered or extended and no land, building, structure or part thereof shall be used for any purpose without Special Authorization of the Town Board according to the provisions of Article VII, Section 7.1, and only in conformance with the State Building Construction Code and the following performance standards (Industrial):

(a) Noise - It shall constitute a nuisance for any person, firm or corporation to permit the emission of measurable noises as measured at the individual property lines, to exceed seventy (70) decibels during the periods between 10 P.M. and 6 A.M., except that, if the sound level exceeds these established levels for a period not to exceed six (6) minutes in any sixty (60) minutes, and then does not exceed these established levels by more than ten per cent (10%), a nuisance shall not be deemed to exist.

(b) Smoke - It shall constitute a nuisance for any person, firm or corporation to permit the emission of smoke from any source whatever of a density equal to or greater than that density described as No. 1 on the Ringelmann Chart, as published by the U.S. Bureau of Mines, except that smoke which is not greater than No. 3 of the Ringelmann Chart may be emitted for a period or periods not exceeding three (3) minutes in any

# AFFIDAVIT OF PUBLICATION

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

NOTICE OF PUBLIC HEARING  
TOWN OF PALMYRA  
NOTICE IS HEREBY  
GIVEN that the Town Board  
of the Town of Palmyra, the  
County of Wayne and the  
State of New York will hold  
a Public Hearing at the  
Town Office, 204 East Main  
Street, Palmyra, New York  
on the 23rd day of April 1981  
at 8:00 o'clock in the  
evening of said day upon a  
Proposed Amendment to  
the Town of Palmyra Zoning  
Ordinance and Zoning Map  
which amendment provided  
is as follows:  
That the Zoning Or-  
dinance and Zoning Map of  
the Town of Palmyra be  
amended to reflect the  
creation of a Light In-  
dustrial Zone in an area  
presently zoned  
Residential. The Proposed  
Zone would be bounded and  
described as follows: ALL  
THAT TRACT OR PARCEL  
OF LAND situated in the  
Town of Palmyra, Wayne  
County, New York bounded  
and described as follows:  
Commencing at an iron nail  
in the centerline of Division  
Street, said nail marking the  
Northeast corner of  
premises reputedly owned  
by Theron M. VanHout-  
thence S 83° 11' West a  
distance of 264.48 feet  
along VanHout's North line  
to the Northwest corner of  
the Glenside Sales VanHout-  
thence S 85° 54' East along  
VanHout's West line a  
distance of 99.52 feet to an  
iron pipe thence the  
following courses and  
distances along the bounds  
of Section 2 and Section  
1 of Fairlawn Subdivision  
S 60° 41' West a distance of  
29.85 feet to an iron pipe S  
80° 52' West a distance of  
48.22 feet to an iron pipe  
North 63° 50' West a  
distance of 240.13 feet to an  
iron pipe thence N 85° 33'  
West a distance of 54.33  
feet to an iron pipe in the  
South bounds of Lot No. 41  
of Section 2 of Fairlawn  
Subdivision thence N 83°  
42' East along the South  
bounds of said Lot No. 41 a  
distance of 54.06 feet to an  
iron pipe marking the  
Southeast corner of Lot No.  
41 thence N 63° 18' West  
along the East boundary of  
Lot No. 41 a distance of  
125.00 feet thence N 83° 42'  
East a distance of 60 feet  
thence N 85° 18' West a  
distance of 100.00 feet to an  
iron pipe marking the  
Southeast corner of Lot No.  
43 of said Section 2 of  
Fairlawn Subdivision  
thence N 71° 00' 50' East  
along the East boundary of

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

April 8, 1981

*Rosalia J. Manton*  
Foreman of the Publisher

Subscribed and sworn to before me

this *9th* day of *April*, 19*81*

*Bernice F. DeVolder*  
Notary Public

Fee: \$ 42.09

BERNICE F. DEVOLDER  
Notary Public, State of New York  
Qualifies in Monroe County  
My Commission Expires March 30, 1982



Palmyra Airpark, Inc.

Division Street

Palmyra, New York 14522

April 23, 1981

Petition in Opposition

We the undersigned are opposed to the petition or application for zoning change in the subject premises from residential or agricultural to light industrial. Any change from the existing zoning would have a detrimental affect upon the present use of the property and in particular would violate the air space and the air easements and rights incident to and in connection with the Palmyra Air Park and its full use and enjoyment.

Moreover, such a change would violate the present zoning ordinance both in spirit and in law. Wherefore, we ask that the petition or application be denied.

Signed:

John J. McLaughlin, President  
Volando Zavada, Past President  
William A. G. Jones, Jr.  
Herbert J. Powell, Sec.

Mr. Kaempffe, town councilmen, friends, others,

I would like to take a few minutes to bring forth a few general questions to provoke some purposeful thinking. First, since this hearing is for the purpose of presenting issues pro and con on the question of rezoning the Heston Hill parcel ~~from~~ to Light Industrial, what about this zoning change. Is this an example of spot re-zoning? Spot re-zoning can be defined as awarding a use classification to an isolated parcel of land which is ~~determined~~ detrimental or incompatible with uses of the surrounding area, particularly when such an act favors a particular owner. Is the principle of zoning being an available tool as a result of a comprehensive, community-wide planning approach being compromised? The key words are number one, detrimental, or number two, incompatible. A compromise situation can exist if the detrimental or incompatibility factors or effects are moderated through proper planning and implementation of measures.

Let me address the question of justification for purposes of increasing the tax base. Let's be realistic. The tax base may shift somewhat but the tax burden shared by single-family dwellings will remain mostly constant except for the effects of inflation on market values. Very generally, the increase in the tax base will be offset by the need for increased services.

How about the question of the area being used for a better purpose, in other words, better than what is there now. It would be very easy to say that anything is an improvement. In the light of the fact that for many years there was haphazard extraction of gravel and sand materials with no plan of progress or reclamation. Also during the same period this becomes a very convincing argument. Also during the same period for reasons of accessibility of the area, poor security, and lack of proper safety precautions many problems are faced. Again, very convincing.

4

Forgive any reservations I may have.  
It was only through a concentrated effort by the Town Supervisor that conditions ~~of~~ were ever improved. To put it bluntly, things are alot better.

I could go on and on with questions such as the creations of more job opportunities or a very serious question which faces the town, that of adequate, more reasonably priced water supplies. These ~~justifications~~ <sup>can</sup> ~~only~~ ~~reason~~ tend to be used to soften the favorability to a particular owner. Some of them may be proper. ~~justifications~~.

Let us assume for a few moments that ultimately this will all be good things for the community as a whole.

What would make a zoning change and development of the site not detrimental or somewhat compatible with the surrounding area?



I can only suggest a few items:

- a Transition or buffer zone should be considered as part of the re-zoning process. (limiting factors within the buffer zones)
- a development plan should include thinking such as abatement of wind and noise pollution. Further the development plan created should do more than meet the requirements of existing laws and statutes.

You rapidly get the idea. It doesn't take a genius, only some common sense. ~~The~~ One final thought. Who will take the ~~final~~ responsibility for what finally happens. I remind you that the Town Supervisor was willing to take hold of a problem and get it ~~started~~ moving toward a ~~the~~ solution.

- 5 -

I have never changed my position.  
You as a town board have the  
responsibility for finding an equitable  
solution. ~~that is~~ All I ask is that  
you properly face this responsibility

thirty (30) Minute period if such emission is not reasonably preventable.

(c) Odor - It shall constitute a nuisance for any person, firm or corporation to permit the emission of any odor that, as measured at the individual property line, offensively affects the sense of smell.

(d) Particulate Matter - The rate of emission of particulate matter from all manufacturing processes within the boundaries of any lot shall not exceed a net figure of two pounds per hour per acre, of which no more than ten per cent (10%) by weight of particles larger than forty-four (44) microns (325 mesh) shall be allowed.

(e) Noxious Gases - It shall constitute a nuisance for any person, firm or corporation to permit or cause the escape of such quantities of noxious acids, fumes, or gases in such a manner and concentration as to endanger the health, comfort and safety of any person, or cause or have a tendency to cause injury or damage to property, business or vegetation.

(f) Glare - It shall constitute a nuisance for any person, firm or corporation to permit the edge of the beam of any artificial light source to cross the boundary line of the lot on which this light source is situated. For this purpose, the edge of the beam is defined as the surface at which this intensity of light does not exceed ten per cent (10%) of the luminescence of the center of the beam.

Page 10 - 11

Change Schedule I to include the following:

Zone

LI Light Industrial

Minimum Residential Lot Area & Footage

Residential Uses Not Permitted

Maximum Coverage %

40 (5)

Maximum Height (Feet)

40

Minimum Yards (Feet)

| Front | Side (6) |       | Rear |
|-------|----------|-------|------|
| 100   | Min.     | Total | 100  |
|       | 100      | 200   |      |

Tom DeRue of 2046 Meadow Drive read a prepared statement expressing his views and concerns in regard to this Proposed change in Zoning on Division St. from Residential to Light Industrial which would affect the area in which he resides as his property is adjacent to the site in question. A copy of Mr. DeRue's statement is attached to these minutes and a copy is filed with other papers relating to this hearing.

Following Mr. DeRue, Roland Zavada, representing the Palmyra AirPark, which is also adjacent to the Hershey-Hill property, made a statement concerning the advantages and benefits which are brought to the Palmyra area by the Palmyra AirPark and presented a Formal Petition of Opposition which is attached to these minutes.

At this time, Dick Garney of Division St. and Herb Walton of Maple Ave. expressed their concerns if the Board changed the Zoning from Residential to Light Industrial. Their concerns involved (1) increased traffic, (2) the possibility that this change would lead to more industry moving in, (3) increased taxes because of the need for additional services and (4) increased fire rates. The question as to what benefit this change would be to the Town was also asked. Supervisor Kaempffe replied to these questions stating that the Town has already benefited because of the clean-up of the gravel pit, and, if proper funding can be obtained, the additional services, in particular, water, should not become a total tax burden by the residents within the Water District. The Town is pursuing this project basically for a new source of jobs in the Palmyra area.

Mrs. Garney raised the question of Commercial areas available for Industrial development and Mr. Kaempffe responded that there is a corridor between the Canal and Route 31 which hopefully will be used for development.

Stan Newfang, Lyall Rex and Herb Walton spoke on such concerns as: the main purpose of this change being jobs, reduction in Assessments, disposing of toxic

PUBLIC  
HEARING  
CONT'D

PUBLIC  
HEARING  
CONT'D

chemicals, the possibility of County funding. Chuck Richardson spoke to the group concerning the last question - County funding. Mr. Richardson referred to the experienced people in Lyons, specifically, Russell Fowler, who are available to help with locating funds and he also spoke in regard to the Palmyra Economic Development Corporation and the reasons for the forming of this group, the potential sites in this area for Industrial development and the firms who are looking for sites.

Terry Footer stated that he didn't think the employment problem in the Palmyra area was that bad.

Both Tom Ray and Dan Hollingshead were concerned about the water, supply, pressure, etc. and Nelson Cook, Chairman of the Utilities Committee, responded and spoke concerning the Study which has been done and the alternatives which are available to Palmyra for water sources.

Bill Hassler's question was what companies are determined as Light Industrial. Both Mr. Kaempffe and Mr. Richardson responded.

Terry Footer posed the question - Do the people actually want expansion in the Palmyra area? His opinion was that people moved to this area to get away from industry - they are looking for the rural atmosphere.

Town Councilman Bruce Wideman indicated that he felt the group was getting away from the purpose of the hearing which was only to present a Proposed Amendment to the Zoning Ordinance and Map. He stated that if a company desired to locate in this area, it still would be necessary to have the approval of the Town Board only after a Public Hearing at which time the residents could express their feelings.

Ken Hershey, one of the owners of the parcel in question, spoke to the group concerning the alternate possibilities which could go in that area - mining could continue, the housing development could be extended which would create more of a traffic problem than a Light Industrial complex and he cited several benefits from a change to Light Industrial. Mr. Hershey indicated that there are several purchasers interested in that site of approximately 12½ acres.

Barb Ray, Laura Brown and Herb Walton had more questions concerning the water which Mr. Kaempffe responded to.

The hearing was closed at 9:15 P.M. by Supervisor Kaempffe. Town Councilman Nelson Cook indicated to the people that it was nice to see them out to a meeting and stated that he would like to see them more often.

REG. MTG.  
RE-OPENED  
COMM # 5  
CONT'D

The regular meeting was re-opened by Supervisor Kaempffe.

Committee # 5 -- Continued

The following Resolutions were offered for the Board's consideration.

MOTION NO.

81-0031

APPT. TO

BD. OF

ASSESS. REV.

Motion number: 1981-0031 Date: April 23, 1981  
Motion by: Bruce Wideman, seconded by David Lyon  
Title: Appointment to the Board of Assessment Review  
Resolved, that the Town Board of the Town of Palmyra approve the appointment of Joseph VanScott to a 5 year term as a member of the Board of Assessment Review - term will expire May of 1986.

Motion passed with 4 ayes.

MOTION NO.

81-0032

APPT. TO

PL. BD.

Motion number: 1981-0032 Date: April 23, 1981  
Motion by: Bruce Wideman, seconded by David Lyon  
Title: Appointment to Planning Board  
Resolved, that the Town Board of the Town of Palmyra approve the appointment of David Pinkney to a 5 year term as a member of the Planning Board - term will expire May of 1986.

Motion passed with 4 ayes.

Mr. Wideman informed the Board that the Wayne County Planning Office has been notified in regard to those people who will be attending the Seminar at the Wayne County Planning Office.

33  
SEMINAR  
IN LYONS

Mr. Kaempffe spoke to the Board concerning the possibility of a Workshop Meeting to discuss (1) the proposed amendment to the Zoning Ordinance (2) the Pechler request and (3) moving the Town Office to the Knapp Building by May 1st. A meeting was tentatively set for Saturday, April 25th at 7:30 A.M. at Supervisor Kaempffe's house.

WORKSHOP  
MEETING

The Board also briefly discussed the Contract with the Village of Palmyra for the Palmyra Community Center and the payment of vouchers for the Division of Youth.

DISC. RE  
PAL. COMM.  
CTR.

The motion to adjourn this meeting was made by Bruce Wideman, seconded by Fred Kaempffe and passed with 4 ayes.

MOTION TO  
ADJOURN

Respectively submitted,

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



May 2, 1981

Minutes of Special Town Board Meeting.

Re: Notice of Special Meeting dated April 30, 1981

The meeting was called to order at 8:02 A. M. by Supervisor Kaempffe.

MEETING  
OPENED  
ROLL CALL

Roll Call: Present Supervisor Kaempffe

Councilman Lyon

Councilman Wheeler

Absent Councilman Cook

Councilman Wideman

MOTION FOR  
PUBLIC  
HEARING

Councilman Wheeler presented a motion.

Motion number: 81 - 0033

Date: May 2, 1981

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Public Hearing

Resolved, that the Town Board of the Town of Palmyra have a Public Hearing on the proposal amending of the Zoning Ordinance to include a Light Industrial Classification at 7:30 P. M., Thursday, May 28, 1981 in the Town Office.

There being no discussion, the motion was called. Vote: Ayes 3

Nays 0

Motion carried.

Councilman Lyon presented a motion, seconded by Edwin Wheeler

MOTION FOR  
PAYMENT  
OF FUNDS  
FOR COM.  
CENTER

Motion number: 81 - 0034

Date: May 2, 1981

Title: Payment of Funds to Community Center.

Resolved, that the Town Board of the Town of Palmyra approve the first two quarter payments to the Village of Palmyra for the Community Center (N.Y. State Division of Youth).

There being no discussion, the motion was moved, Vote: Ayes 3

Nays 0. Motion was carried.

DISCUSSION  
ON COLT  
INDUST.  
REQUEST

A general discussion was held concerning a visit of Julius Lewinson and John Setzar, Colt Industries Property Tax People from New York City. These representatives came to Palmyra to request an \$800,000.00 reduction in the assessments of the Colt properties in both the Village and Town of Palmyra.

An informal meeting between these Colt Representatives, Judson Roney, the Assessor and Fred Kaempffe, the Town Supervisor, <sup>was held</sup> at the Garlock House on April 30, 1981.

The Town Board has no legal control over the actions of the Assessor with respect to matters of this nature. However, there was an agreement to support the Assessor in the following matters:

1. Forwarding a letter to Colt requesting written answers to the question raised at the Garlock House meeting:
  - What are Colt near term objectives (next five years) for building, capital investment and new jobs in their Palmyra Facilities?
2. Supporting calling of an "Advisory Board" meeting to discuss the ramifications of considering an assessment reduction.

May 2, 1981

35

3. Considering a tiered reduction, like 20% of some number the first year, etc. tied to a commitment on the part of Colt with respect to their intentions in Palmyra.

DISCUSSION  
ON COLT  
INDUSTRIES  
REQUEST

Ed Wheeler made a motion to adjourn at 8:30 A.M.; Seconded by David Lyon. Vote: Ayes 3, Nays 0.  
Motion carried.

Respectfully submitted,

*Fred A. Kaempfe*  
Fred A. Kaempfe, Supervisor

Fred A. Kaempfe, Supervisor  
204 E. Main Street  
Palmyra, New York 14522

To ..... : Palmyra Town Board  
From ..... : F. Kaempfe, Supervisor  
Subject : : Notice of Special Board Meeting

Thursday April 30, 1981

Please be advised that there will be a special board meeting Saturday morning at 8:00 AM in the Town Office.

The agenda will be:

1. Colt Industries request for a \$800,000.00 reduction in the current assessment of the Varlock Properties
2. Public hearing for the revision of the zoning ord. to include the light industrial ~~in~~ classification
3. Approval to pay first two quarters of the Community Center funds to the Village.

Fred A. Kaempfe, Supervisor

*Fred A. Kaempfe*

Supervisor  
Town of Palmyra  
Office Phone: 597-5521

*Ed Wheeler*

May 14, 1981

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was called to order at 7:30 P.M., Thursday, May 14, 1981 in the Town Office, 201 East Main St., Palmyra, New York by Supervisor Kaempffe who also led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempffe, Town Councilmen David Lyon, Nelson Cook and Bruce Wideman. Mr. Edwin Wheeler was absent.

Others attending the meeting were Assessor Judson Roney and Chuck Lyons of the Courier-Journal.

MOTION TO  
PAY BILLSABSTR.#4B

&amp;

ABSTR.#5

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Bruce Wideman, seconded by Fred Kaempffe to approve payment of the Vouchers as shown on Abstract # 4B and # 5. Motion passed with 4 ayes. The vouchers were listed by Funds as follows:

Abstract # 4B

|                 |                      |            |
|-----------------|----------------------|------------|
| GENERAL FUND    | Vouchers # 115 - 117 | \$ 6122.31 |
| PART TOWN FUND  | " # 25               | 4038.00    |
| HIGHWAY ITEM I  | " # 8                | 255.95     |
| HIGHWAY ITEM IV | " # 26               | 255.95     |
| TOTAL           |                      | \$10672.21 |

Abstract # 5

|                        |                    |            |
|------------------------|--------------------|------------|
| GENERAL FUND           | Vouchers # 118-136 | \$ 4728.65 |
| PART TOWN FUND         | " # 26- 28         | 245.77     |
| FED. REV. SHARING FUND | " # 3              | 493.50     |
| HIGHWAY ITEM I         | " # 9- 12          | 6051.01    |
| HIGHWAY ITEM III       | " # 89-100         | 1358.59    |
| SOUTH WATER DISTRICT   | " # 13- 15         | 50.50      |
| NORTH WATER DISTRICT   | " # 12- 13         | 40.03      |
| EAST WATER DISTRICT    | " # 12- 13         | 25.09      |
| TOTAL                  |                    | \$12993.14 |

COMMUNI-  
CATIONS

## Communications -

1. Letter from Wayne County Cablevision, Inc. re: Work Permit
2. Letter from Paul Kehoe re: communication from Fred to Ann Webster of New York State Department of Parks & Recreation
3. Letter from Pechler's Trails Ski Touring Center re: granting right to petition State Agency for license to sell beer and wine
4. Notice of Claim re: Suzanne Rigney
5. Letter from the American Legion - Memorial Day Parade
6. Memo from the Village of Palmyra re: Bridge Painting - Maple Ave.
7. Progress Report on Wayne County Solid Waste Study - John Steele

REPORTS OF  
COMMITTEES

## Reports of Standing Committees:

## Committee # 1 - Fred Kaempffe

COMM. # 1SPEC. MTG.  
5/2/81

1. Mr. Kaempffe reported that a Special Meeting was held on Saturday, May 2, 1981 in the Town Office and he reviewed the items on the agenda of that meeting - (a) Golt Industries request for a reduction in current assessment (b) Resolution for a Public Hearing scheduled for May 28th on a revision of the Zoning Ordinance to include a Light Industrial Classification (c) Resolution to approve payment of first two quarters of Contract with the Village of Palmyra - Palmyra Community Center, Division of Youth

SUMMER  
MTGS.

2. There was a brief discussion on the schedule for the summer meetings. At the Organizational Meeting the summer meetings were set for June 25th, July 23rd and August 27th.

3. The following Resolution concerning a Transfer of Funds was presented for the Board's consideration.

MOTION NO.

81-0035

Motion number:

1981-0035

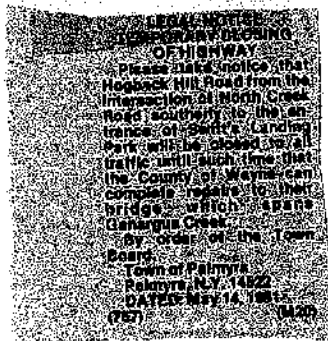
Date: May 14, 1981

Motion by:

Fred Kaempffe, seconded by Bruce Wideman

# AFFIDAVIT OF PUBLICATION

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



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

May 20, 1981

*Rosette J. Morton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 21<sup>st</sup> day of May, 1981

*Bernice F. DeVolder*  
Notary Public

Fee: \$ 5.80

BERNICE F. DeVOLDER  
Notary Public, State of New York

BERNICE F. DeVOLDER  
Notary Public, State of New York  
Qualified in Monroe County  
My Commission Expires March 30, 1982

Title: Transfer of Funds

Resolved, that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of \$150.00 from Account No. 1620.4 - Buildings - Contractual Expenses to Account No. 1620.2 - Buildings - Equipment as there is no money in the Budget for Account No. 1620.2 --- (Purchase of two desks from J. Chapman) Motion passed with 4 ayes.

MOTION NO.

81-0035

CONT'D

TRANS OF FUNDS

4. Town Councilman David Lyon questioned Mr. Kaempffe on the progress of the County Landfill Project and Mr. Kaempffe stated that he felt there is enough support and interest in the purchase of the Town of Arcadia Landfill and the Galen/Lyons site to make a County Landfill possible. Mr. Lyon stated that the prospect of the County Landfill would make a difference in regard to the operation of the Palmyra Landfill.

CO. LDFL.

PROJECT

Committee # 2 - David Lyon

COMM. # 2

(1) Galloway Bridge Project - Town Highway Superintendent Jim DeBrine in cooperation with Town Attorney Paul Rubery has written a letter to the Penn Central Railroad in regard to the Galloway Bridge Project.

GALLOWAY

BRIDGE

PROJECT

(2) Hogback Hill Road Bridge - The following Resolution was offered for the Board's consideration.

Motion number: 1981-0036

Date: May 14, 1981

MOTION NO.

81-0036

Motion by: David Lyon, seconded by Nelson Cook

Title: Approval to Post Closing of Hogback Hill Road Bridge & Road

CLOSING OF

Resolved, that the Town Board of the Town of Palmyra approve the posting in the

HOGBACK

Courier-Journal of the temporary closing of the bridge over Canargua Creek and

HILL RD.

Hogback Hill Road from North Creek Road to the entrance of Swift's Landing Park

Motion passed with 4 ayes.

Mr. Lyon reported that a letter has been received from Richard Vanderlinde, County Highway Superintendent, informing the Town of Palmyra that the Bridge will be repaired as soon as materials are available - possibly, 6 to 8 weeks.

(3) Town Councilman David Lyon reported that he, along with Supervisor Kaempffe and Mr. DeBrine, met with the County and the State representatives in regard to the Galloway Bridge project and things are progressing as well as expected as there are many complexities involved. Mr. Kaempffe added that a verbal offer was made by the State to do the engineering on this project.

MEETING W/

CO. & STATE

RE: BRIDGE

PROJECT

(4) Mr. Lyon also reported that the Town Highway Crew has completed their work at the Palmyra Community Center, moved the Town Office and the Office of the Assessor to the new location at 201 East Main Street and have now started on the Fagner Road Project.

WORK COMPL.

BY HWY. CREW

Town Councilman Nelson Cook reported on the costs and expenditures of the Highway crew's work on the foundation for the new gym at the Palmyra Community Center and Mr. Kaempffe requested him to do a breakdown of these costs and expenditures. Mr. Cook also reported on progress of the construction of the gym.

Committee # 3 - Nelson Cook

COMM. # 3

(1) Landfill Take-over - Mr. Cook reported that he had a meeting with the Highway Department and had talked with Mr. Gilfus, present operator of the Landfill, to get some suggestions for amending the Landfill Rules and Regulations. He then reviewed with the Board the amendments to the Rules and Regulations and presented the following Resolution for the Board's consideration.

LANDFILL

TAKE-OVER

Motion number: 1981-0037

Date: May 14, 1981

MOTION NO.

Motion by: Nelson Cook, seconded by Bruce Wideman

81-0037

Title: Board Approval of Amendments to the Rules & Regulations for the Operation of the Sanitary Landfill in the Town of Palmyra

AMEND. TO

LDFL REG.

Resolved, that the Town Board of the Town of Palmyra approve the following Amendments to the Sanitary Landfill Rules and Regulations:



MOTION NO.

81-0037

CONT'D

AMENDMENTS

TO LDPL. REG.

Section 2. -- Amended to read as follows:

Persons entitled to the use of the Public Sanitary Landfill shall be as follows:

No person, other than those who are residents of the Town of Palmyra and Village of Palmyra, who have purchased a ticket, shall be permitted access to the Sanitary Landfill. Any person, including commercial haulers whose customers are residents of the Village or Town of Palmyra, may, upon application to the Town Clerk of the Town of Palmyra, obtain a ticket designating the yardage capacity of his vehicle, and so pay to the said Town Clerk the sum of One Dollar (\$1.00) for each yard capacity of his vehicle, which will entitle the resident to dump one yard of refuse for each dollar so expended. The rate of One Dollar Fifty Cents (\$1.50) shall apply to Commercial Haulers.

The following shall apply to yardage capacity of vehicles:

|                               |                                                  |         |
|-------------------------------|--------------------------------------------------|---------|
| Passenger Car                 | 1 Ticket                                         | 1 yard  |
| Station Wagon (Full)          | 2 Tickets                                        | 2 yards |
| " " (1/2 Load)                | 1 Ticket                                         | 1 yard  |
| Pickup Truck (Full-Box level) | 2 Tickets                                        | 2 yards |
| " " (1/2 Load)                | 1 Ticket                                         | 1 yard  |
| Stake Truck - 2 tons or below | 3 Tickets                                        | 3 yards |
| Straight-bodied Truck or      |                                                  |         |
| Dump Truck to 6 yards         | 6 Tickets                                        | 6 yards |
| Commercial Haulers or         |                                                  |         |
| Dump Trucks over 6 yards      | Hauler to advise capacity of truck to Town Clerk |         |

Section 5. -- Amended to read as follows:

Disposal Hours

Hours for the individual users of the Sanitary Landfill shall be as follows:

|                                      |                       |
|--------------------------------------|-----------------------|
| Week day for Commercial Haulers only | 8:00 A.M. - 3:00 P.M. |
| Saturday                             | 8:00 A.M. - 3:00 P.M. |

No dumping will be allowed on Sundays and Holidays, except at the discretion of the Operator. Commercial haulers may, by agreement and at the discretion of the Operator, be allowed dumping privileges at times not listed above. Landfill will be closed on all Sundays and Holidays.

Section 6. -- Amended to read as follows:

Commercial Haulers

Paragraph 2. Tickets will be obtained at the Town Offices from the Town Clerk, and will designate the yardage capacity of his vehicle and he will pay to said Town Clerk the sum of One Dollar Fifty cents (\$1.50) for each yard capacity of his vehicle.

Paragraph 4. Hours for the Sanitary Landfill will be Monday through Saturday, from 8:00 A.M. to 3:00 P.M.. No dumping will be allowed on Sundays and holidays, except at the discretion of the Operator.

Section 7. -- Amended to read as follows:

Effective Date

These Rules and Regulations shall become effective on June 1, 1981.

Motion passed with 4 ayes.

WAYNE CO.  
CABLEVISION  
WORK PERMIT

(2) Wayne County Cablevision Work Permit - Mr. Cook reported that he had met with Town Highway Superintendent DeBrine in regard to the request of Wayne County Cablevision, Inc. for a Work Permit to bury a Cable T.V. distribution feed in the Town right of way to Pulcini's Trailer Park located on Trolley Road. The following Resolution was presented for the Board's consideration.

MOTION NO.

81-0038

|                |                                                                    |                    |
|----------------|--------------------------------------------------------------------|--------------------|
| Motion number: | 1981-0038                                                          | Date: May 14, 1981 |
| Motion by:     | Nelson Cook, seconded by Bruce Wideman                             |                    |
| Title:         | Approval of Request for Work Permit by Wayne Co. Cablevision, Inc. |                    |

Resolved, that the Town Board of the Town of Palmyra approve the request of Wayne County Cablevision, Inc. for a work permit in order to bury a Cable T.V. distribution feed in the Town right of way to Pulcini's Trailer Park located on Trolley Road.

Motion passed with 4 ayes.

(3) Street Lighting - Mr. Cook made recommendations to the Board at the April 23rd meeting that 6 out of the 11 Street lights turned off during the investigation be removed and the remaining 5 lights be re-energized. The following Resolution was presented for the Board's consideration;

Motion number: 1981-0039 Date: May 14, 1981 MOTION NO.

Motion by: Nelson Cook, seconded by Fred Kaempffe 81-0039

Title: Approval to remove 6 lights per recommendation of Committee WHEREAS, the Town Board of the Town of Palmyra has investigated and experimented with various lighting configurations in regard to the Street lighting in the Town of Palmyra, ST. LGT.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra, in the best interest of the Town and safety, approves the removal of the following six (6) lights out of the eleven (11) lights turned off for the investigation and experiment:

No. 41  
No. 42-2 Intersection of Division St. and Maple Ave.  
No. 164-1 Vienna St. and Route 31  
No. 140-2 Hammond Road  
No. 130-2

No. 130-3 Intersection of Galloway Bridge and Route 31  
The remaining five (5) lights are to be re-energized and left as previously operated.

Motion passed with 4 ayes.

Committee # 4 - Edwin Wheeler COMM. # 4

Nothing to report at this time as Mr. Wheeler was absent.

Committee # 5 - Bruce Wideman COMM. # 5

(1) Mr. Wideman spoke briefly to the Board in regard to a Building Permit issued to Mr. & Mrs. John Heitman.

(2) Pechler's Trails request to petition the appropriate State Agency for a license to sell beer and wine under a seasonal permit - Mr. Wideman offered the following Resolution: PECHLER'S TRAILS

Motion number: 1981-0040 Date: May 14, 1981 MOTION NO.

Motion by: Bruce Wideman, seconded by David Lyon 81-0040

Title: Approval to advertise for a Public Hearing - Pechler's Trails Resolved, that the Town Board of the Town of Palmyra approve the advertising for a Public Hearing to be held on Thursday, June 25, 1981 at 7:30 P.M. in the Town Office, 201 East Main Street, Palmyra, New York to consider the request of Arnold and Thelma Pechler (Pechler's Trails) for a Seasonal License to sell beer and wine on their premises on Shilling Road - Posting of the hearing contingent upon receipt of a letter or petition. APPR. TO ADV. FOR PUB. HRG.

Motion passed with 4 ayes.

(3) Proposed Amendment to the Zoning Ordinance - Mr. Wideman spoke to the Board in regard to the Proposed Amendment to the Zoning Ordinance to create a Light Industrial District Classification, subject of a Public Hearing at the May 28th Town Board meeting. He reviewed the amendment, in particular, an addition concerning transition areas. PROP. AMEND TO ZON. ORD

Mr. Cook asked to comment on some reactions as a result of the Public Hearing held on April 23rd concerning a proposed amendment to the Zoning Ordinance to make a change in the Zoning of the Hershey-Hill property on Division St. from Residential to Light Industrial. Mr. Cook stated that he had talked with a number of the residents who attended the hearing and they had expressed concerns that the Board had perhaps relieved wrong impressions. They indicated that, following the hearing, they would favor the change to a Light Industrial District. Mr. Kaempffe also stated that he had received a call from Bill Hassler indicating approval. DISC. ON PUB. HRG. OF 4/23

40

FILE FOR  
ASSESS.  
OFFICE

MOTION TO  
ADJOURN

Assessor Judson Roney asked that the record show that a 3 drawer parcel file in the Assessor's Office was purchased by the Village of Palmyra. The motion to adjourn this meeting at 8:20 P.M. was offered by David Lyon, seconded by Bruce Wideman 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.

**LEGAL NOTICE**  
**NOTICE OF**  
**PUBLIC HEARING**  
**TOWN OF PALMYRA**  
**NOTICE IS HEREBY**  
GIVEN: that the Town Board of the Town of Palmyra, the County of Wayne and the State of New York will hold a Public Hearing at the Town Office, 201 East Main Street, Palmyra, New York on the 28th day of May, 1981 at 7:30 o'clock in the evening of said day to Amend the Zoning Ordinance of the Town of Palmyra to establish a Light Industrial District. The Ordinance will be amended as follows:  
(A) Article II, Section 2.1 (b) adding to the classes of zoning districts: (1) Light Industrial District.  
(B) Article III (by adding to the districts a new section) Section 3.4.5 Light Industrial Districts.  
In Light Industrial Districts no building or structure shall be erected, altered, or extended and no land building, or structure or part thereof shall be used for other than the following permitted uses:  
(a) any use permitted upon issuance of a special authorization (use) as provided in Article III, Section 7.1 of the Ordinance provided that no use will be permitted:  
1. in which there is an inherent danger to the general public due to hazards of fire and explosion, including those uses where explosives, combustible gases, or flammable liquids are processed, manufactured, or stored;  
2. in which there is an activity proposed which is not in strict conformance with State and Federal Codes and regulations;  
3. in which there is a building or structure to be built which does not conform to all the standards of the State Building Construction Code and conforms with safety needs required by State and Federal Aviation Authorities;  
4. in which all activity and storage shall be carried on in the confines of the building with the exception of exterior maintenance and grounds keeping;  
5. in which any of the following performance standards are violated (see (a) thru (d) below.)  
(C) Schedule I (to add) Zone L Light Industrial. Min. Residential Lot Area Residential use not per-

mitted.  
May 1981  
Yards: Front 100 Min. Side 100 Min. Rear 100  
(D) Article III (by adding a new section) Section 3.5 Transition Areas: TRANSITION AREAS When a lot in a Light Industrial District abuts an existing Residential District, there shall be provided on such Light Industrial District on the side abutting the Residential District an open space not less than fifty (50) feet in width to serve as a buffer. A twenty (20) foot strip adjoining such Residential District shall be maintained as a landscape area which shall include the planting of appropriate trees.  
**INDUSTRIAL PERFORMANCE STANDARDS:**  
(a) Noise: It shall constitute a nuisance for any person, firm or corporation to permit the emission of measurable noise as measured at the individual property line to exceed seventy (70) decibels during the periods between 8 P.M. and 6 A.M. except that if the sound level exceeds these established levels for a period not to exceed six (6) minutes, and then does not exceed these established levels by more than ten per cent (10%), a nuisance shall not be deemed to exist.  
(b) Smoke: It shall constitute a nuisance for any person, firm or corporation to permit the emission of smoke from any source whatever, of a density equal to or greater than that density described as No. 1 on the Ringelmann Chart as published by the U.S. Bureau of Mines, except that smoke which is not greater than No. 2 of the Ringelmann Chart may be emitted for a period of not exceeding three (3) minutes in any thirty (30) minute period, if such emission is not reasonably preventable.  
(c) Odors: It shall constitute a nuisance for any person, firm or corporation to permit the emission of any odor that, as measured at the individual property line, offensively affects the sense of smell.  
(d) Particulate Matter: The rate of emission of particulate matter from all manufacturing processes within the boundaries of any lot shall not exceed a net figure of two pounds per hour per acre, of which no more than ten per cent (10%) by weight of particles larger than forty-four (44) microns (325 mesh) shall be allowed.  
(e) Noxious Gases: It shall constitute a nuisance for any person, firm or corporation to permit or cause the escape of such quantities of noxious acids, fumes, or gases in such a manner and concentration as to endanger the health, comfort and safety of any person, or cause or have a tendency to cause injury or damage to property, business or vegetation.  
(f) Glare: It shall constitute a nuisance for any person, firm or corporation to permit the edge of the beam of any artificial light source to cross the boundary line of the lot on which this light source is situated. For this purpose, the edge of the beam is defined as the surface at

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

May 13, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 14th day of May, 1981

*Bernice F. DeVolder*  
Notary Public

BERNICE F. DEVOLDER  
Notary Public, State of New York  
Qualified in Monroe County  
My Commission Expires March 30, 1982

Fee: \$ 66.19







May 28, 1981

41

The Public Hearing scheduled to be held at the Town Office, 201 East Main Street, Palmyra, New York on Thursday, May 28, 1981 at 7:30 P.M. to amend the Zoning Ordinance of the Town of Palmyra to establish a new classification - Light Industrial District, was opened by Supervisor Kaempfe. The Proof of Publication was read by the Clerk. Mr. Kaempfe asked for any comments or statements concerning this amendment to the Zoning Ordinance. Town Councilman Edwin Wheeler made the following statement, referring to the Section on Noise:

PUBLIC  
HEARING  
OPENED

AMENDMENT  
TO ZON. ORD.

LGT. IND.  
CLASSIF.

"As a matter of record, in Light Industrial this would probably include the possibility of small electronic firms or small machine shops, something like that, and I know they have at the property line that it not exceed 70 decibels, but, I suspect that anything that required 80 decibels within the plant would probably have been dampened by the air to 70 by the restrictions as far as property line. However, I would caution that any small industry coming in would probably be involved with ultra sonic cleaning equipment which does and does meet OSHA at 80 decibels at the site of the equipment. Eighty (80) decibels is the acceptable upper limit by the Occupational Safety & Health Administration which is the proper name for OSHA - there are many other names for OSHA but they are not printable. It should somehow be established that it is possible that there may be some necessary noises or sounds emitted at higher than 70 decibels but we would hope it would be dampened down by the time it got to the property line. You know, one of the greatest things in any situation whether or not they just build houses out there, are these rock stations - I know the radio at my house exceeds 80 decibels, at least, in certain areas of my house."

Discussion continued in regard to problems in industry with noise. Mr. Kaempfe spoke concerning the way this Light Industrial District is structured - you have the distance from the building to the property line and the building cannot be closer than 100 feet to the property line with a 20 foot strip which shall be maintained as a landscape area which shall include the planting of appropriate trees. More discussion followed concerning noise in general from, for example, motorcycles, lawn mowers, etc.

The Clerk read into the record a paragraph from a letter sent to Mr. Kaempfe from Tom DeRue of Meadow Drive. The paragraph read as follows:

"Just a short note to let you know that I hope things will go a little better at the Public Hearing concerning Light Industrial re-zone on the 28th. I will be out of town for two weeks at Annual Training with the Guard and miss the hearing. I would hope that much of the negativism will subside so that some good planning and thinking will begin. If I can be of any help, let me know."

At this time, Mr. Kaempfe asked for any other comments or statements. There being none, a motion was made by David Lyon, seconded by Fred Kaempfe that the hearing be closed. Motion passed with 3 ayes.

HEARING  
CLOSED

The regular meeting of the Town Board of the Town of Palmyra was opened by Supervisor Kaempfe at 7:50 P.M..

REG. MTG.  
OPENED

Those present were led in the Pledge of Allegiance to the Flag by Town Councilman David Lyon.

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempfe, Town Councilmen David Lyon and Edwin Wheeler. Town Councilmen Bruce Wideman and Nelson Cook were absent.

ROLL CALL

Others attending the meeting were Assessor Judson Roney and Chuck Lyons of the Courier-Journal.

A motion was made by David Lyon, seconded by Fred Kaempfe that the minutes of April 23rd, May 2nd and May 14th be approved as printed. Motion passed with 3 ayes.

MOTION TO  
APPR. MIN.  
4/23, 5/2 &  
5/14

Following a review of the Claims/Vouchers presented for payment, a motion was made by David Lyon, seconded by Edwin Wheeler to approve payment of the

MOTION TO  
PAY BILLS

MOTION TO  
APPR. PAYM.  
CLAIMS ON  
ABSTR. #5A

Vouchers as shown on Abstract # 5A. Motion passed with 3 ayes. The Vouchers were listed by Funds as follows:

Abstract # 5A --

|                         |                   |            |
|-------------------------|-------------------|------------|
| GENERAL FUND            | Vouchers #137-150 | \$17604.17 |
| PART TOWN FUND          | " # 29- 32        | 3135.58    |
| FEDERAL REVENUE SHARING | " # 4             | 3031.06    |
| HIGHWAY ITEM I          | " # 13- 16        | 12800.71   |
| HIGHWAY ITEM III        | " #101-103        | 166.20     |
| HIGHWAY ITEM IV         | " # 27            | 8831.00    |
| NORTH WATER DISTRICT    | " # 14            | 94.55      |
| SOUTH WATER DISTRICT    | " # 16- 17        | 51.77      |
| EAST WATER DISTRICT     | " # 14- 15        | 1837.20    |
| TOTAL                   |                   | \$47552.24 |
| CAPITAL FUNDS           | " # 10- 11        | \$ 375.00  |

COMMUNICA-  
TIONS

Communications --

- (1) Letter from R. Mowray, Supervisor of Ontario re: Purchase of Water. This communication was referred to Committee # 3.
- (2) Letter from the Department of Health re: Public Water Supply - referred to Committee # 3.
- (3) Letter from Tom DeRue re: Public Hearing on Zoning Amendment and Reclamation Plan for Breesmes property. This communication was referred to Committee # 1. Judson Roney spoke to the Board concerning the Breesmes property stating that he has been in contact with Sandy Brennan of the DEC in regard to the Mining Permit which the Town of Ontario is seeking. It was also determined that the Town of Ontario would be responsible for the reclamation of that area.
- (4) Letter from the Department of Environmental Conservation re: Landfill Operators Course - referred to Committee # 3.
- (5) Notice from the Department of Health, Albany advising of the increase in Marriage License fees and the fees for copies of Birth, Death and Marriage records.
- (6) Notice from the Department of Agriculture & Markets concerning the extension of the renewal date for the May and June Dog Licenses.
- (7) Letter from the Department of Health re: Public Water Supply - Operator Certification. This communication was referred to Committee # 3.
- (8) Copy of a letter to Principal Ormsby of the Palmyra-Macedon Central School concerning the Reeves Parker Scholarship.
- (9) Copy of a letter from Supervisor Kaempffe to Richard Vanderlinde, Wayne County Highway Superintendent re: adjusting the legal load limit for Galloway Bridge to 5 tons maximum.
- (10) Letter to Mr. Kaempffe re: the groundbreaking for the new East Palmyra Christian School to be held Saturday, June 6th.

REPORTS OF  
STAND. COMM.

COMM. # 1

MOTION NO.  
81-0041

TRANS. OF  
FUNDS

Reports of Standing Committees -

Committee # 1 - Fred Kaempffe

The following Resolutions were offered for the Board's consideration:

Motion number: 1981-0041 Date: May 28, 1981  
 Motion by: Fred Kaempffe, seconded by David Lyon  
 Title: Transfer of Funds  
 Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from the Assessors - Contractual Expenses Account No. A 1355.4 to the Buildings - Contractual Expenses Account No. A 1620.4 in the amount of \$875.00, such amount being rent which would have been paid to the Palmyra Florist for the remaining seven months of the year 1981, such amount to be used now to defray the utility expense of the Assessor's Office.

Motion passed with 2 ayes - Edwin Wheeler abstained.

Motion number: 1981-0042

Date: May 28, 1981

MOTION NO.

81-0042

Motion by: Fred Kaempffe, seconded by David Lyon

Title: Transfer of Funds

TRANS. OF  
FUNDS

Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from Capital Project #1, East Water District to East Water District Operating Fund in the amount of \$200.00 as East Water District has insufficient funds to pay the interest on the Bond Issue due on June 1, 1981, in the amount of \$1825.00.

E.W.DIST.  
CAP. PROJ.

Motion passed with 3 ayes.

Motion number: 1981-0043

Date: May 28, 1981

MOTION NO.

81-0043

Motion by: Fred Kaempffe, seconded by David Lyon

Title: Transfer of Funds

TRANS. OF  
FUNDS

Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from Federal Revenue Sharing Account No. 9901.9 to Part Town Fund - Community Center Budget Account No. B7310.4 in the amount of \$3031.06, such amount being the Machinery Time of Work done at the Community Center site April 20, 1981 thru April 24, 1981 by the Highway Department.

COMM. CTR.

Motion passed with 3 ayes.

Motion number: 1981-0044

Date: May 28, 1981

MOTION NO.

81-0044

Motion by: Fred Kaempffe, seconded by David Lyon

Title: Transfer of Funds

TRANS. OF  
FUNDS

Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from Contingency Account No. A 1990.4 to Employee Benefits - Retirement Account No. A 9010.8 in the amount of \$127.00 as the Retirement Account has insufficient funds to cover the yearly payment to the Retirement System.

RETIR. ACCT.

Motion passed with 3 ayes.

Motion number: 1981-0045

Date: May 28, 1981

MOTION NO.

81-0045

Motion by: Fred Kaempffe, seconded by David Lyon

Title: Authorization to increase Marriage License Fees

INCR. IN

Resolved, that the Town Board of the Town of Palmyra authorize the Town Clerk to increase the Marriage License Fees to \$10.00 - \$4.50 - License, \$4.25 - Certificate, \$1.25 fees to State, effective June 1, 1981.

MARR. LIC.  
FEES

The letter from the New York State Department of Health concerning the fees for Marriage Licenses and Certified copies which was read under Communication #5, was discussed at this time. The Board had no objections to the State mandate in regard to the Marriage License fees but after the Clerk, who is also Registrar, spoke with them concerning the drastic change in fees for certified copies of Birth, Death and Marriage Records and the views of several Town Clerks/Registrars in the area, a suggestion was made by Town Councilman David Lyon that a letter be sent to the Department of Health in Albany stating the objections to this mandate.

Motion passed with 3 ayes.

Supervisor Kaempffe commented at this time on the controversy between Gov. Carey and Warren Anderson concerning the State Budget and stated that he felt the people aren't really listening to the Governor and his proposals. Mr. Kaempffe also indicated that the State may pick up the Medicaid Plan.

Committee # 5 - In Town Councilman Bruce Wideman's absence, Mr. Kaempffe brought the following items before the Board.

COMM. # 5

(1) Wm. Hood's Junkyard - Mr. Kaempffe requested a report from Zoning Enforcement Officer J. Roney in regard to the progress made by Mr. Hood follow-

HOOD JUNK  
YARD

DISC. RS.  
HOOD'S  
JUNKYARD

ing the conditional approval of the Annual Permit granted to Mr. Hood by the Board on March 26, 1981. Mr. Roney informed the Board that nothing has been started to erect a fence on the East side of the property, there has been no increase in the height of the fence along the front of the property as the Board requested and, at the West end of the property, there is a fence of odd pieces of metal of various heights. Judging by this information, Mr. Roney indicated that there has not been much progress made by Mr. Hood. Mr. Kaempfe stated that Mr. Hood has done a lot of work - ~~that~~ <sup>the</sup> front has been completely cleaned and looks good. Following further discussion, Supervisor Kaempfe suggested that the Board entertain a motion to grant the license to Mr. Hood for the balance of the licensing year.

N. COOK  
JOINED MTG.

During this discussion, Town Councilman Nelson Cook joined the meeting. (8:30 P.M.)

Mr. Roney stated that he was concerned about the neighbors to the East. There has been no change in three years. He also stated that the Town has asked the Mobile Home Park owners to clean up and abide by regulations and he felt the Board would be setting a poor example if they don't encourage Mr. Hood to continue the clean-up. There was no further action on the motion to grant the license, therefore the motion was lost. Mr. Wheeler suggested, and the other Board members agreed, that Mr. Roney send a letter to Wm. Hood informing him that he has until June 30th to meet the conditions requested by the Board. The Clerk was requested to place the subject of Mr. Hood's junkyard on the agenda for June 25th.

AMEND. TO ZON.  
ORD. - LGT. IND.

(2) Amendment to Zoning Ordinance - Light Industrial Classification  
 The following Resolution was offered for the Board's consideration:

MOTION NO. Motion number: 1981-0046 Date: May 28, 1981  
8120046 Motion by: Fred Kaempfe, seconded by David Lyon  
 Title: Approval to Amend Zoning Ordinance to establish a Light Industrial District

APPR. TO  
AMEND. ZON.  
TO ESTAB.  
LGT. IND.  
DISTRICT

WHEREAS, the Town Board of the Town of Palmyra at a Special meeting held on Saturday, May 2, 1981 duly called (Motion #1981-0033) for a Public Hearing to consider an amendment to the Zoning Ordinance to establish a Light Industrial District, and  
 WHEREAS, due notice of said Public Hearing was given thereof as required by law, and  
 WHEREAS, said Public Hearing was held by the Town Board at the Town Office, 201 East Main Street, Palmyra, N.Y. in said Town on the 28th day of May, 1981 at 7:30 P.M. of said day,  
 NOW THEREFORE BE IT RESOLVED, that the Zoning Ordinance of the Town of Palmyra be and the same hereby is amended to establish a LIGHT INDUSTRIAL DISTRICT, amendments and additions as follows:

See attached copy from Ordinance Book.

Motion passed with 4 ayes.

AMEND. TO ZON.  
ORD. - RESID.  
TO LGT. IND.

(DIV. ST.)

(3) Amendment to Zoning Ordinance - Change from Residential to Light Industrial (Division St. - Hershey-Hill Property)  
 The following Resolution was offered for the Board's consideration:

Motion number: 1981-0047 Date: May 28, 1981  
 Motion by: Fred Kaempfe, seconded by David Lyon  
 Title: Approval to Amend Zoning Ordinance and Zoning Map  
 Change from Residential to Light Industrial (Division St.)

APPR. TO  
AMEND. ZON.  
TO CHANGE  
DIV. ST. PROP.  
RESID TO  
LGT. IND.

WHEREAS, the Town Board of the Town of Palmyra amended the Zoning Ordinance to establish a Light Industrial District and  
 WHEREAS, The Town Board duly called a public hearing to consider an amendment to the Zoning Ordinance and Zoning Map to reflect the creation of a Light Industrial Zone in an area zoned Residential and gave due notice thereof as required by law, and  
 WHEREAS, said Public Hearing was held by the Town Board at the Town Office, 204



# LEGIBILITY ON ORIGINAL DOCUMENT IS POOR

58

microns (325 mesh) shall be allowed.

(e) Noxious Gases - It shall constitute a nuisance for any person, firm or corporation to permit or cause the escape of such quantities of noxious acids, fumes, or gases in such a manner an concentration as to endanger the health, comfort and safety of any person, or cause or have a tendency to cause injury or damage to property, business or vegetation.

(f) Glare - It shall constitute a nuisance for any person, firm or corporation to permit the edge of the beam of any artificial light source to cross the boundary line of the lot on which this light source is situated. For this purpose, the edge of the beam is defined as the surface at which this intensity of light does not exceed ten per cent (10%) of the luminescence of the center of the beam.

C) Schedule I ( to add )

| ZONE             | MIN. RESIDENTIAL LOT AREA      | MAX. COV. % | MAX. HEIGHT | MIN. YARDS |
|------------------|--------------------------------|-------------|-------------|------------|
| Light Industrial | Residential uses not permitted | 40%(5)      | 35'         | 100        |
|                  |                                |             |             | 100        |
|                  |                                |             |             | 200        |
|                  |                                |             |             | 10         |
|                  |                                |             |             | Min. Total |

D) Article III (by adding a new section)  
Section 3.5.6. Transition Area

## Transition Area:

When a lot in a Light Industrial District abuts a lot in a Residential District, there shall be provided on such Light Industrial District lot on the sides abutting the Residential District, an open space not less than fifty (50) feet in width to serve as a buffer. A twenty (20) foot strip adjoining such Residential District shall be maintained as a landscape area which shall include the planting of appropriate trees.

State of New York  
County of Wayne  
Town of Palmyra

I, Betty B. Stubbings, Town Clerk of the Town of Palmyra, Wayne County, New York, do hereby certify that I have compared the preceding Ordinance Amendment with the original thereof on file in my office at Palmyra, Wayne County, New York on the 28th day of May 1981 and that the same is a true and correct copy of said amendment. In testimony whereof, I have hereunto set my hand and affixed the seal of said Town this 4th day of June, 1981.

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



# AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE  
TOWN OF PALMYRA  
NOTICE IS HEREBY  
GIVEN, that an amendment  
to the Zoning Map of the  
Town of Palmyra was duly  
enacted at a regular  
meeting of the Town Board  
of the Town of Palmyra held  
on May 28, 1981.

WHEREAS, the Town  
Board duly called a public  
hearing for the con-  
sideration of the aforesaid  
amendment and gave due  
notice thereof as required  
by law, and;

WHEREAS, said public  
hearing was held by this  
Town Board at its Town  
Office, 204 East Main  
Street, Palmyra, New York,  
in said Town, on the 23rd  
day of April 1981 at 8:00  
o'clock in the evening of  
said day;

NOW THEREFORE BE IT  
RESOLVED, that the Zoning  
Map of the Town of Palmyra  
be amended to reflect the  
creation of a Light In-  
dustrial Zone in an area  
previously zoned Residential  
the area is located on  
Division Street in the Town  
of Palmyra, County of  
Wayne, State of New York  
and is known as the Har-  
shay-Hill Gravel Pit. The  
area rezoned by this  
amendment is bounded and  
described as follows:

Commencing at an iron  
nail in the centerline of  
Division Street, said nail  
marking the Northeast  
corner of premises  
reputedly owned by Theron  
M. VanHout; thence S 63°  
11' West a distance of  
384.89 feet along VanHout's  
North line to the Northwest  
corner of the lands of  
VanHout; thence S 6° 54'  
East along VanHout's West  
line a distance of 89.52 feet  
to an iron pipe; thence the  
following courses and  
distances along the bounds  
of Section 1 and Section 2  
of "Fairlawn Subdivision":  
S 60° 41' West a distance of  
28.65 feet to an iron pipe; S  
80° 62' West a distance of  
46.23 feet to an iron pipe;  
North 53° 50' West a  
distance of 240.13 feet to an  
iron pipe; thence N 8° 33'  
West a distance of 524.33  
feet to an iron pipe in the  
South bounds of Lot No. 41  
of Section 2, "Fairlawn  
Subdivision"; thence N 83°  
42' East along the South  
bounds of said lot No. 41 a  
distance of 54.09 feet to an  
iron pipe marking the  
Southeast corner of Lot No.  
41; thence N 8° 18' West  
along the East boundary of  
Lot No. 41 a distance of  
125.00 feet; thence N 42°  
East a distance of 629 feet;  
thence N 6° 18' West a

distance of 100.00 feet to an  
iron pipe marking the  
Southeast corner of Lot  
No. 43 of said Section 2 of  
"Fairlawn Subdivision";  
thence N 1° 00' 50" East  
along the East boundary of  
said Lot No. 43 a distance  
of 202.67 feet to an iron  
pipe marking the Northeast  
corner of said Lot No. 43;  
thence N 83° 42' East a  
distance of 74.76 feet to an  
iron pipe; thence N 11° 28'  
West a distance of 34.32  
feet to an iron pipe; thence  
S 80° 32' East a distance of  
353.62 feet to an iron nail in  
the centerline of said  
Division Street; thence S  
16° 21' 30" East a distance  
of 339.17 feet along the  
centerline of said Division  
Street to an iron nail; thence  
S 8° 38' East a distance of  
89.76 feet along the  
centerline of said Division  
Street to the iron nail  
marking the point and place  
of beginning, containing  
12.372 acres of land (ex-  
cluding roadway) as sur-  
veyed by Smith, Harshey,  
Malone and Norton, sur-  
veyors, and plan thereof  
being dated the 2nd day of  
June 1980 said plan being  
filed in the Office of the  
Wayne County Clerk.  
Subject to all restrictions,  
rights-of-way, and  
assessments of record af-  
fecting the above described  
premises.

Dated: June 11, 1981  
Town Board of the Town  
of Palmyra, County of  
Wayne, State of New York.  
I, Betty G. Stubbings,  
Town Clerk of the Town of  
Palmyra, County of Wayne,  
State of New York, do  
hereby certify that I have  
compared the preceding  
Amendment with the  
original thereof on file in my  
office at Palmyra, Wayne  
County, New York on the  
29th day of May, 1981 and  
that the same is a true  
correct copy of  
amendment.

Dated: June 11, 1981 (J-17)  
(788)

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

June 17, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 24th day of June 1981

*Judith A. MacDuff*  
Notary Public

Fee: \$4.84

JUDITH A. MacDUFF  
Notary Public for Ind  
State of New York County of Wayne  
473126  
Expiration Date March 30, 1983

AMENDMENT TO ZONING ORDINANCE  
CHANGE FROM RESIDENTIAL TO LIGHT INDUSTRIAL (DIVISION ST.)  
HERSHEY - HILL PROPERTY

By Resolution of the Town Board of the Town of Palmyra, adopted at a regular meeting held on Thursday, May 28, 1981, the Zoning Ordinance and Zoning Map was amended to reflect the creation of a Light Industrial Zone in an area presently zoned Residential, known as the Hershey-Hill property. The property is bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Palmyra, Wayne County, New York, bounded and described as follows: Commencing at an iron nail in the centerline of Division Street, said nail marking the Northeast corner of premises reputedly owned by Theron M. VanHout; thence S 83°11' West a distance of 364.98 feet along VanHout's North line to the Northwest corner of the lands of VanHout; thence S 8°54' East along VanHout's West line a distance of 99.52 feet to an iron pipe; thence the following courses and distances along the bounds of Section 1 and Section 2 of "Fairlawn Subdivision": S 80°41' West a distance of 28.65 feet to an iron pipe; S 80°52' West a distance of 46.28 feet to an iron pipe; North 53°50' West a distance of 240.13 feet to an iron pipe; thence N 8°38' West a distance of 524.33 feet to an iron pipe in the South bounds of Lot No. 41 of Section 2, "Fairlawn Subdivision"; thence N 83°42' East along the South bounds of said Lot No. 41 a distance of 54.06 feet to an iron pipe marking the Southeast corner of Lot No. 41; thence N 6°18' West along the East boundary of Lot No. 41 a distance of 125.00 feet; thence N 83°42' East a distance of 60 feet; thence N 6°18' West a distance of 100.00 feet to an iron pipe marking the Southeast corner of Lot No. 43 of said Section 2 of "Fairlawn Subdivision"; thence N 1°00'50" East along the East boundary of said Lot No. 43 a distance of 202.67 feet to an iron pipe marking the Northeast corner of said Lot No. 43; thence N 83°42' East a distance of 74.76 feet to an iron pipe; thence N 11°28' West a distance of 34.32 feet to an iron pipe; thence S 80°38' East a distance of 353.62 feet to an iron nail in the centerline of said Division Street; thence S 16°21' 30" East a distance of 339.17 feet along the centerline of said Division Street to an iron nail; thence S 8°38' East a distance of 609.76 feet along the centerline of said Division Street to the iron nail marking the point and place of beginning, containing 12.372 acres of land (excluding roadway).

State of New York  
County of Wayne  
Town of Palmyra

I, Betty B. Stubbings, Town Clerk of the Town of Palmyra, County of Wayne, State of New York, do hereby certify that I have compared the preceding Ordinance Amendment with the original thereof on file in my office at Palmyra, New York on the 28th day of May 1981 and that the same is a true and correct copy of said amendment. In testimony whereof, I have hereunto set my hand and affixed the seal of said Town this 16th day of June, 1981.

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

# AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK,  
County of Wayne.

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

June 10, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Red and sworn to before me

11th day of June, 1981

*with A. Mac Duff*  
Notary Public

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

**LEGAL NOTICE**  
**TOWN OF PALMYRA**  
NOTICE IS GIVEN THAT,  
an amendment to the  
Zoning Ordinance of the  
Town of Palmyra was duly  
passed at a regular  
meeting of the Town Board  
of the Town of Palmyra held  
on the 20th day of May,  
1981.

WHEREAS, the Town  
Board duly called a public  
hearing for the con-  
sideration of the aforesaid  
amendment and gave due  
notice thereof as required  
by law;

WHEREAS, said public  
hearing was held by the  
Town Board at the Town  
Office, 201 East Main  
Street, Palmyra, New York,  
in said Town, on the 20th  
day of May 1981 at 7:00 P.M.  
of said day;

**NOW THEREFORE BE IT**  
**RESOLVED**, that the Zoning  
Ordinance of the Town of  
Palmyra be and the same  
hereby is amended to  
include a **LIGHT IN-**  
**INDUSTRIAL DISTRICT**,  
amendments and additions  
as follows:

A) Article II, Section 2.1  
(by adding to the classes of  
existing districts)

1) Light Industrial District  
B) Article III (by adding to  
the districts a new section)  
Section 3.4.6 Light In-  
dustrial Districts:

In Light Industrial  
Districts no building or  
structure shall be erected,  
altered, or extended and no  
land, building, or structure  
or part thereof shall be used  
for other than the following  
permitted uses:

a) any use permitted  
upon issuance of a special  
exception (see) power  
as provided in Article III,  
Section 7.1 of the Or-  
dinance, provided that no  
use will be permitted:

1. in which there is  
inherent danger to the  
general public due to  
hazards of fire and ex-  
plosions, including those  
uses where explosives,  
combustible gases, or  
flammable liquids are  
processed, manufactured,  
or stored.

2. in which there is an  
activity proposed which is  
not in strict conformance  
with State and Federal  
codes and regulations.

3. in which there is a  
building or structure to be  
built which does not con-  
form to all the standards of  
the State Building Con-  
struction Code and con-  
forms with safety needs  
required by State and  
Federal Aviation  
Authorities.

4. in which all activity  
and storage shall be con-  
fined on in the confines of the  
building, with the exception  
of exterior maintenance and  
grounds keeping.

5. in which any of the  
following performance  
standards are violated:

## INDUSTRIAL PERFORMANCE STANDARDS

(a) Noise - It shall con-  
stitute a nuisance for any  
person, firm or corporation  
to permit the emission of  
measurable noises as  
measured at the individual  
property lines, to exceed  
usually (70) decibels during  
the periods between 10 P.M.

and 6 A.M., except that, if  
the sound level exceeds  
these established levels for  
a period not to exceed six  
(6) minutes in any sixty (60)  
minutes, and then does not  
exceed these established  
levels by more than ten per  
cent (10%), a nuisance shall  
not be deemed to exist.

(b) Smoke - It shall  
constitute a nuisance for  
any person, firm or cor-  
poration to permit the  
emission of smoke from any  
source whatever of a  
density equal to or greater  
than that density described  
as No. 1 on the Ringelmann  
Chart as published by the  
U.S. Bureau of Mines, ex-  
cept that smoke which is  
not greater than No. 3 of the  
Ringelmann Chart may be  
emitted for a period or  
periods not exceeding three  
(3) minutes in any thirty (30)  
minute period, if such  
emission is not reasonably  
preventable.

(c) Odor - It shall con-  
stitute a nuisance for any  
person, firm or corporation  
to permit the emission of  
any odor that as measured  
at the individual property  
line, offensively affects the  
senses of smell.

(d) Particulate Matter -  
The rate of emission of  
particulate matter from all  
manufacturing processes  
within the boundaries of  
any lot shall not exceed a  
net figure of two pounds per  
hour per acre, of which no  
more than ten per cent  
(10%) by weight of particu-  
lar larger than forty-four (44)  
microns (225 mesh) shall be  
allowed.

(e) Noxious Gases - It  
shall constitute a nuisance  
for any person, firm or  
corporation to permit or  
cause the escape of such  
quantities of noxious gases,  
fumes, or gases in such a  
manner as concentration as  
to endanger the health,  
comfort and safety of any  
person, or cause or have a  
tendency to cause injury or  
damage to property,  
business or vegetation.

(f) Glare - It shall con-  
stitute a nuisance for any  
person, firm or corporation  
to permit the escape of the  
beam of any artificial light  
source to cross the  
boundary line of the lot on  
which this light source is  
situated. For this purpose,  
the edge of the beam is  
defined as the surface at  
which the intensity of light  
does not exceed ten per  
cent (10%) of the  
luminance of the center of  
the beam.

C) Schedule I (to add):  
**ZONE - LI Light Industrial**  
**MIN. RESIDENTIAL LOT**  
**AREA - Residential uses not**  
**permitted; MAX. COV. % -**  
**40% (5); MAX HEIGHT - 35'**  
**MIN. YARDS - Front - 100,**  
**Side (3) - 100 min, 200 Total,**  
**Rear - 100.**

D) Article III (by adding a  
new section) Section 3.5.6  
Transition Area:

Transition Area: When a  
lot in a Light Industrial  
District abuts a lot in a  
Residential District, there  
shall be provided on such  
Light Industrial District lot  
on the side abutting the  
Residential District, an  
open space not less than  
twenty (20) feet in width to  
serve as a buffer. A twenty

(20) foot strip adjoining  
such Residential District  
shall be maintained as a  
landscape area which shall  
include the planting of  
appropriate trees.

**BE IT FURTHER**  
**RESOLVED**, that said  
amendment and change  
shall take effect im-  
mediately after publication  
thereof in the Palmyra  
Courier-Journal; and **BE IT**  
**FURTHER RESOLVED**, that  
said amendment be entered  
in the minutes of the  
meeting of the Town Board  
of the Town of Palmyra held  
on the 20th day of May,  
1981, and that a copy  
thereof be posted on the  
Town Clerk's Bulletin  
Board, 201 East Main  
Street, Palmyra for not less  
than 10 days and that ei-  
dents of publication and  
posting be filed with the  
Town Clerk.

Dated: June 4, 1981

Town Board of the Town  
of Palmyra, County of  
Wayne, State of New York  
I, Eddy B. Stoddings,  
Town Clerk of the Town of  
Palmyra, Wayne County,  
New York, do hereby certify  
that I have compared the  
preceding Ordinance  
Amendment with the  
original thereof on file in my  
office at Palmyra, Wayne  
County, New York on the  
20th day of May 1981 and  
that the same is a true and  
correct copy of said  
amendment.

(761) (10)

AMENDMENT TO ZONING ORDINANCE  
TO CREATE  
LIGHT INDUSTRIAL DISTRICT

By Resolution of the Town Board of the Town of Palmyra, adopted at a regular meeting held on Thursday, May 28, 1981, the Zoning Ordinance of the Town of Palmyra was amended to establish a LIGHT INDUSTRIAL DISTRICT. The amendments and additions are as follows:

A) Article II, Section 2.1 ( by adding to the classes of zoning districts )

LI Light Industrial District

B) Article III ( by adding to the districts a new section )  
Section 3.4.5. Light Industrial Districts

In Light Industrial Districts no building or structure shall be erected altered, or extended and no land, building, or structure, or part thereof shall be used for other than the following permitted uses:

a) any use permitted upon issuance of a special authorization (use) permit as provided in Article III, Section 7.1 of the Ordinance, provided that no use will be permitted.

1. In which there is inherent danger to the general public due to hazards of fire and explosions, including those uses where explosives, combustible gases, or flammable liquids are processed, manufactured, or stored.

2. In which there is an activity proposed which is not in strict conformance with State and Federal codes and regulations.

3. In which there is a building or structure to be built which does not conform to all the standards of the State Building Construction Code and conforms with safety needs required by State and Federal Aviation Authorities.

4. In which all activity and storage shall be carried on in the confines of the building, with the exception of exterior maintenance and grounds keeping.

5. In which any of the following performance standards are violated:

INDUSTRIAL PERFORMANCE STANDARDS

(a) Noise - It shall constitute a nuisance for any person, firm or corporation to permit the emission of measurable noises as measured at the individual property lines, to exceed seventy (70) decibels during the periods between 10 P.M. and 6 A.M., except that, if the sound level exceeds these established levels for a period not to exceed six (6) minutes in any sixty (60) minutes, and then does not exceed these established levels by more than ten per cent (10%), a nuisance shall not be deemed to exist.

(b) Smoke - It shall constitute a nuisance for any person, firm or corporation to permit the emission of smoke from any source whatever of a density equal to or greater than that density described as No. 1 on the Ringelmann Chart, as published by the U.S. Bureau of Mines, except that smoke which is not greater than No. 3 of the Ringelmann Chart may be emitted for a period or periods not exceeding three (3) minutes in any thirty (30) minute period if such emission is not reasonably preventable.

(c) Odor - It shall constitute a nuisance for any person, firm or corporation to permit the emission of any odor that as measured at the individual property line, offensively affects the sense of smell.

(d) Particulate Matter - The rate of emission of particulate matter from all manufacturing processes within the boundaries of any lot shall not exceed a net figure of two pounds per hour per acre, of which no more than ten per cent (10%) by weight of particles larger than forty-four (44)



East Main Street, Palmyra, N.Y. in said Town on the 23rd day of April, 1981 at 8:00 P.M. of said day, 45  
MOTION NO.

NOW THEREFORE BE IT RESOLVED, that the Zoning Ordinance and the Zoning Map of the Town of Palmyra be and the same is hereby amended to reflect the creation of a LIGHT INDUSTRIAL ZONE in an area presently zoned RESIDENTIAL, known as the Hershey-Hill Property, bounded and described as follows: 81-0047  
CONT'D

See attached copy from Ordinance Book.

Motion passed with 4 ayes.

(4) Application of Lawrence Westerman (Maier Property) - Mr. Kaempffe informed the Board that an application has been submitted by Lawrence Westerman of 1714 Division Street, Palmyra for Special Authorization to operate an Automotive Repair Shop at 4325 Newark-Palmyra Road, presently owned by Mrs. Maier. Mr. Westerman has submitted a purchase offer for the property. The following Resolution was offered for the Board's consideration: WESTERMAN  
APPLIC.

Motion number: 1981-0048 Date: May 28, 1981 MOTION NO.  
81-0048  
Motion by: Fred Kaempffe, seconded by Edwin Wheeler  
Title: Approval to advertise for Public Hearing (Westerman)

Resolved, that the Town Board of the Town of Palmyra grant approval to advertise for a Public Hearing to be held on Thursday, June 25, 1981 at 8:00 P.M. in the Town Office, Palmyra to consider the application of Lawrence Westerman for Special Authorization to operate an Automotive Repair Shop at 4325 Newark-Palmyra Road (Maier Property). APPR. TO  
ADV. PUB. HRC

Motion passed with 3 ayes - Supervisor Kaempffe and Town Councilmen Wheeler and Cook voting aye, Town Councilman David Lyon not voting.

Committee # 2 - David Lyon COMM. # 2

(1) Mr. Lyon reported that a new man has been hired to fill a vacancy on the Town Highway crew. This man will be the operator of the Palmyra Landfill and will work with the Highway crew when not involved at the Landfill. To fulfill the requirements of the DEC for a Landfill Operator, this man will attend the school for Landfill Operators on June 11th. The equipment is ready for the Landfill and the new man will work this Saturday, May 30th with S. Giffus to get familiar with the operation of the Landfill. LANDFILL

(2) The Highway crew has been working for the past 2 weeks on Fagner Road doing some clearing, grubbing and ditching, getting the base work done before completing the road work. FAGNER RD.

(3) Galloway Bridge - Mr. Lyon reported that the Highway Committee met with the State people on May 28th and he informed the Board that the State does not really intend to do much with their section of the Bridge. What work does get done will primarily be done by the County and Town. Progress is still being made but Mr. Lyon was not familiar with how the legal aspects are progressing. There has been no response to the letter sent to the Railroad. GALLOWAY  
BRIDGE

Town Councilman Wheeler returned to the subject of the Landfill by questioning when the new man will be working at the Landfill. Mr. Lyon responded that he will be responsible for the Landfill but will only work out there whatever hours are necessary - he will be there Saturdays all day when residents bring refuse. Mr. Wheeler questioned who monitors the haulers and Mr. Lyon stated that the haulers have keys and that part of the operation will work as in the past. The Operator will be there every afternoon to properly cover what has been brought in each day. The new man will also be mowing road sides and taking care of cemeteries this summer. LANDFILL

Committee # 3 - Nelson Cook

(1) Landfill - Mr. Cook took over the response to Mr. Wheeler in regard to who monitors the Commercial Haulers at the Landfill by stating that the operator will monitor the haulers and will be able to tell how many loads have been LANDFILL



LANDFILL  
DISQ. CONT'D

dumped when he does the covering each afternoon. The number of loads can be compared with the number of tickets left in the collecting box. Mr. Lyon stated that there isn't enough to be done at the landfill to justify a man full time. Mr. Wheeler mentioned that perhaps a spot check could be done occasionally and Mr. Cook replied that there are only 2 Commercial Haulers in the Town of Palmyra.

(2) Old Landfill Site - Mr. Cook reported that the Scouts planted 1000 trees two weeks ago, starting on a Saturday and finishing on the Monday following. This is a part of the Restoration Project at the old site.

(3) Water - Mr. Cook stated that he had hoped for a report from Tony Malone in regard to the request for an extension of the Johnson Road Water line, but he has received nothing as yet.

WATERCOMM. #4

Committee # 4 - Edwin Wheeler

DOGS

(1) Dogs - Referring to Communication # 6 concerning a new date for the renewal of Dog Licenses for May & June, Mr. Wheeler offered the following Resolution for the Board's consideration:

MOTION NO.

Motion number: 1981-0049

Date: May 28, 1981

81-0049

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Approval to Grant 1981 Procedures to May & June Dog Renewals

APPR. TO  
EXTEND  
RENEWAL  
DATE

WHEREAS, due to the State Budget crisis, the Renewal date for Dog Licenses for May & June has been extended to July 15th, and

WHEREAS, the Town Board on January 22, 1981 approved for 1981 only an extension of 30 days to allow dog owners to comply with the Dog License procedures without penalty.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra allow the extension of the renewal date for the May and June licenses to August 15, 1981.

Motion passed with 4 ayes.

MOTION TO  
ADJOURN

The motion to adjourn this meeting was made by David Lyon, 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, } 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:

June 10, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 11th day of June 1981

*Sallie K. Bush*  
Notary Public

SALLIE K. BUSH  
Notary Public for the  
State of New York, County of Wayne  
4735128  
Expiration Date March 30, 1983

Fee: \$ 24.10

LEGAL NOTICE  
NOTICE OF  
PUBLIC HEARING  
TOWN OF PALMYRA  
NOTICE IS HEREBY  
GIVEN that the Town Board  
of the Town of Palmyra will  
hold Public Hearings on  
Thursday, June 25, 1981 in  
the Town Office, 201 East  
Main Street, Palmyra, New  
York to consider the  
following:  
(1) At 7:30 P.M. the ap-  
plication of Arnold &  
Thelma Pechler, 2181  
Shilling Road in the Town of  
Palmyra for Special  
Authorization to sell  
alcoholic beverages with a  
seasonal permit from the  
cross country ski area  
known as Pechler's Trails.  
These premises are located  
in an Agricultural Zone and  
are bounded on the East by  
Shilling Road, on the North  
by lands of Theodore  
Udenitz, on the West by the  
Palmyra-Madison Road  
(Route 21) and on the South  
by lands of Allen DeRyke  
and Kenneth Vanderwall.  
(2) At 8:00 P.M. the ap-  
plication of Lawrence  
Westerman, 1714 Division  
Street, Palmyra, N.Y. for  
Special Authorization to  
operate an Automobile  
Repair Shop in the former  
Garage Shop, also Art  
Studio and Picture Framing  
Shop, owned by Mrs.  
Elizabeth Mahoney, 3422  
Newark Road in the Town of  
Palmyra. These premises  
are located in an  
Agriculture Zone and are  
bounded on the West by  
Route 21, on the North and  
East by New York State  
State 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 pur-  
poses 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 June 2, 1981  
By order of the Town  
Board of the Town of  
Palmyra  
Betty S. Buchanan  
Town Clerk  
(780) 4735128

June 25, 1981

47

The Public Hearing scheduled to be held at the Town Office, 201 East Main Street, Palmyra, New York on Thursday, June 25, 1981 at 7:30 P.M. to consider the application of Arnold & Thelma Pechler, 2191 Shilling Road in the Town of Palmyra for Special Authorization to sell alcoholic beverages with a seasonal permit from the cross country ski area known as Pechler's Trails was opened by Supervisor Fred Kaempffe at 7:30 P.M. The Proof of Publication was read by the Clerk. ( See attached copy of transcript of the Public Hearing.)

PUBLIC  
HEARING  
OPENED  
(PECHLER)

The Public Hearing scheduled to be held at the Town Office, 201 East Main Street, Palmyra, New York on Thursday, June 25, 1981 at 8:00 P.M. to consider the application of Lawrence Westerman, 1714 Division Street, Palmyra, New York for Special Authorization to operate an Automobile Repair Shop in the former Do-Nut Shop - owned by Mrs. Elizabeth Maier, 4325 Newark Road in the Town of Palmyra was opened by Supervisor Kaempffe at 8:25 P.M. The Proof of Publication was read by the Clerk. ( See attached copy of transcript of the Public Hearing.)

PUBLIC  
HEARING  
OPENED  
(WESTERMAN)

The regular meeting of the Town Board of the Town of Palmyra was called to order by Supervisor Kaempffe at 8:40 P.M. on Thursday, June 25, 1981 in the Town Office, 201 East Main Street, Palmyra, New York.

Those present were led by Town Councilman Edwin Wheeler in the Pledge of Allegiance to the Flag.

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempffe, Town Councilmen David Lyon, Nelson Cook, Bruce Wideman and Edwin Wheeler.

ROLL CALL

Others attending the regular meeting were Town Attorney Paul Rubery, Chuck Lyons of the Courier-Journal, Town Highway Superintendent James DeBrine, Andy Forand and Merrill Gray of Wayne County Cablevision, Inc.

A motion was offered by David Lyon, seconded by Bruce Wideman to approve the minutes of May 28, 1981 as submitted. Motion passed with 5 ayes.

MOTION TO  
APPR. MIN.

5/28/81

Following a review of the Claims submitted for payment, a motion was made by Bruce Wideman, seconded by Nelson Cook to approve payment of Vouchers as shown on Abstract # 5B and # 6. Motion passed with 5 ayes - David Lyon abstained on Voucher # 113. The Vouchers were listed on Abstract # 5B & 6 as follows:

MOTION TO  
PAY BILLS

ABSTRACT # 5B

|                |                |           |             |
|----------------|----------------|-----------|-------------|
| GENERAL FUND   | Vouchers # 151 | \$ 324.42 | ABSTR. # 5B |
| HIGHWAY ITEM I | " # 17         | 465.31    |             |
| TOTAL TOTAL    |                | \$ 789.72 |             |

ABSTRACT # 6

|                         |               |            |
|-------------------------|---------------|------------|
| GENERAL FUND            | " # 152 - 191 | \$ 5964.47 |
| PART TOWN FUND          | " # 33 - 39   | 2307.23    |
| FEDERAL REVENUE SHARING | " # 5         | 11000.00   |
| HIGHWAY ITEM I IA       | " # 18 - 22   | 11105.31   |
| HIGHWAY ITEM III        | " # 104 - 116 | 3551.04    |
| HIGHWAY ITEM IV         | " # 28        | 110.00     |
| NORTH WATER DISTRICT    | " # 15        | 122.12     |
| SOUTH WATER DISTRICT    | " # 18        | 8.89       |
| EAST WATER DISTRICT     | " # 16        | 14.27      |

ABSTR. # 6

TOTAL \$34183.33

COMMUNICATIONS -

COMMUNICA-  
TIONS

1. Notice from Palmyra-Macedon Central School re: Members of Board of Education.

2. Notices from Village of Macedon, Town of Macedon and Town of Walworth.

of intent to issue Cable Television Franchises.

COMMUNICATIONS

CONT'D

3. Letter from Patti Mables and a copy of a letter from Mr. Kaempffe to Mr. E. Shimp re; 4-H Day at the Board of Supervisors.

4. Letters re: posting of limit for Galloway Bridge.

5. Notice re: increase in Bingo Fees

6. Notice of Violation and Order to Comply - OSHA

7. Correspondence re: complaints concerning Swift's Landing Park.

8. Notice of amendment to Election Law re: access for handicapped to polling places.

9. Letter from the Planning Board re: a Planned Development District.

REPORTS OF  
COMM. S

REPORTS OF STANDING COMMITTEES -

COMM. # 1

Committee # 1 - Fred Kaempffe

REEVES PARKER  
SCHOLARSHIP  
RECIPIENTS

1. Reeves Parker Scholarship - Mr. Kaempffe reported that three (3) seniors in the Palmyra-Macedon Central School were recipients of awards from the Reeves Parker Scholarship Fund - Chris Rifenberg received \$2800, Kevin O'Neill and Amy Austin each received \$2000. The funds are payable to the college after the completion of one semester.

WAYNE CO.

"SHOW-OFF"

2. Wayne County Board of Supervisors - Mr. Kaempffe reported that Wayne County is planning a "Show-Off" to be held in April of 1982, probably at the Wayne County Highway Department. This "Show-Off" is to show the people in Wayne County and other people what Wayne County is doing business-wise and they hope to have exhibits from all businesses in the County. Mr. Kaempffe requested some suggestions from the Board members concerning a business man from our community who would serve as a representative from the business community and would participate on the Advisory Board for the "Show-Off".

COMM. # 2

Committee # 2 - David Lyon

GALLOWAY  
BRIDGE

1. Galloway Bridge - The Board along with Town Highway Superintendent James DeBrine and Town Attorney Paul Rubery discussed at length the latest developments concerning the acquisition of property for a Right of Way at Galloway Bridge. Mr. Rubery stated that he had sent a letter to Penn Central and had received a reply indicating that Penn Central wants to cooperate. A map of the area was reviewed and points discussed were: minimum area needed, cost of tunneling, cost of condemnation, also, cost of an appraisal for condemnation, estimate of steel needed, use of bridge (number of cars), cost of improvements, Right of Way- West to Canal Spillway and East to Port Gibson, an amount to offer Penn Central for area needed. Following the discussion, a motion was offered by David Lyon for the Board's consideration.

MOTION NO.

81-0050

Motion number: 1981-0050 Date: June 25, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Authorization to Draft Letter to Penn Central

OFFER TO  
PENN CENTRAL

Resolved: that the Town Board of the Town of Palmyra authorize Town Attorney Paul Rubery to draft a letter to Penn Central offering the sum of \$400 (Four Hundred dollars) for land from a point one hundred (100) feet East of Galloway Bridge, Westerly to the Canal Spillway incorporating the old West Shore Right of Way.

Motion was passed with 5 ayes.

HWY. CREW

2. Highway Crew - Mr. Lyon reported that the Town Crew has been working on Fagner Road and will be starting a week's vacation on Friday, July 3rd.

VIOLATIONS

3. Dept. of Labor Violations - Highway Department was cited by the Department of Labor for some minor violations and Mr. Lyon stated that all have been corrected.



1. Cablevision - At this time, Merrill Gray and Andy Forand of Wayne County Cablevision, Inc., Newark, New York came before the Board to request a public hearing to consider two (2) amendments to the existing Franchise with the Town of Palmyra. The amendments would be for (1) increase in fees and (2) availability of converter equipment on a rental basis which would add four (4) frequencies to present service. There would be no additional cost for the new frequencies but rental fees would be charged for the equipment. A schedule of the rental rates will be provided by the company, if desired. Copies of the Proposal were distributed to the Board members and the Schedule of Fee Changes was reviewed. Following a lengthy discussion with Board members asking questions of both Mr. Gray and Mr. Forand concerning (1) the rate (%) of increase and the fact that Wayne County Cablevision is a public authorized monopoly (2) service (3) the additional channels and equipment to convert (4) new changes in TV, Town Councilman Bruce Wideman offered a motion to advertise for the public hearing but there was no further action and the motion was lost. Mr. Wideman stated that regardless of personal feelings, Wayne County Cablevision deserved the right to a public hearing - people are not forced to have Cable TV and can refuse that service if they don't like the rates. Supervisor Kaempfe and the Board agreed to defer this request to the next meeting in order to review the amendments. Mr. Gray stated that Financial statements will be furnished if desired. The matter will be placed on the agenda for the July 23rd meeting. Mr. Wheeler questioned if the Town is receiving the Franchise fees. Mr. Forand, in responding to the statements from Board members that Wayne County Cablevision is a public authorized monopoly, stated that they can't legally operate as a monopoly and Mr. Kaempfe replied that it is a DeFacto situation.

CABLEVISION

## 2. Landfill -

LANDFILL

(a) Old Site - Referring to the tree planting recently done by Boy Scouts, Mr. Cook requested the Supervisor to send letters to George Prindle and Richard Lawrence, Scout Leaders, expressing the appreciation of the Town Board for the community service rendered by the Scouts.

(b) Mr. Cook reported that the Landfill will be closed for the July 4th holiday and that the closing has been posted in the Timesaver for 2 weeks.

(c) Mr. Cook also reported that Earl's Disposal Service has fulfilled the obligation in regard to the paper work for the Town Office.

## 3. Water -

WATER

(a) Extension of Service on Johnson Road - Mr. Cook read a letter he received from Hershey-Malone Associates, Town Engineers in regard to the proposed extension of Water Service on Johnson Road. A study has been done and the report from Hershey-Malone indicated that the extension of the Water line on Johnson Road was not economically feasible at this time. Mr. Wideman stated that he felt an issue as important as this request required more notice to the Board members, that the information should be made available for the members to study prior to the subject being discussed at a meeting. Mr. Wideman requested a copy of the Study and the matter was tabled to the next meeting on July 23rd.

(b) Master Meter Vaults - Mr. Kaempfe questioned Mr. Cook concerning the operation of the Meter vaults and if the problem in regard to getting the correct reading for use in billing had been corrected. Mr. Cook replied that he has been trying to reach the Town Engineer on this problem.

MASTER  
METER  
VAULTS



COMM. # 4  
ELECTION

Election Law, Mr. Wheeler offered the following Resolution for the Board's consideration.

MOTION NO.

81-0051

Motion number: 1981-0051 Date: June 25, 1981  
Motion by: Edwin Wheeler, seconded by David Lyon  
Title: Polling Places with Access for Handicapped & Elderly

DESIGNA. OF  
POLLING  
PLACES

Resolved, that the Town Clerk notify the Wayne County Board of Elections that District # 5 - East Palmyra Fire Hall and District # 6 - Palmyra Fire Hall do provide access for handicapped and elderly persons and that the Town of Palmyra seeks waivers on Election Districts # 1 - 4, pursuant to Section 4-104 of the Election Law and Subtitle V - State Board of Elections- Part 6206.2 Designation of Polling Places.

Motion passed with 5 ayes.

COMM. CTR.MOTION NO.

81-0052

APPR. OF  
SUPER. SIGN.

(2) Palmyra Community Center - the following Resolution was offered for the Board's consideration.

Motion number: 1981-0052 Date: June 25, 1981  
Motion by: Edwin Wheeler, seconded by Bruce Wideman  
Title: Authorization of Supervisor's Signature

Resolved, that the Town Board of the Town of Palmyra authorize the Supervisor's signature on Project Application for State Aid - Division of Youth.  
Motion passed with 5 ayes.

BINGOMOTION NO.

81-0053

APPR. OF  
AMND. TO  
BINGO LIC.

(3) Bingo - the following Resolution was offered for the Board's consideration:

Motion number: 1981-0053 Date: June 25, 1981  
Motion by: Edwin Wheeler, seconded by David Lyon  
Title: Approval of Applications to Amend Bingo Licenses

Resolved, that the Town Board of the Town of Palmyra approve the Applications to Amend Bingo Licenses submitted by the Veterans of Foreign Wars, Palmyra Memorial Post #6778 and Palmyra Lodge #1420 - Loyal Order of Moose.  
Motion passed with 5 ayes.

COMM. # 5ZONING

Committee # 5 - Bruce Wideman

(1) Zoning Ordinance - Mr. Wideman stated that the new Ordinance and Map are in good shape and will be turned over to the Town of Palmyra Planning Board for review at their next meeting on July 14th for recommendations to the Town Board. There was a brief discussion on a timetable for the new (Re-vised) Zoning Ordinance.

(2) Wm. Hood's Junkyard - Mr. Wideman reviewed the letter received from Mr. Roney in regard to recommendations to the Board concerning Mr. Hood's Junkyard. Considerable discussion followed on Mr. Hood's operation including (1) height of fence along the front (2) fence or screening along the East side (3) Auto repair. The Board indicated that they felt Mr. Hood had made a sincere effort to comply with the Board's conditions during the time of the temporary permit granted by the Board and a Resolution was offered for the Board's consideration.

MOTION NO.

81-0054

APPR. OF  
LICENSE

Motion number: 1981-0054 Date: June 25, 1981  
Motion by: Bruce Wideman, seconded by Fred Kaempffe  
Title: Board Approval of Hood's Junkyard License

Resolved, that the Town Board of the Town of Palmyra cancel the temporary permit issued to Wm. Hood and grant approval to his license for the operation of a Junkyard in the Town of Palmyra for the balance of the licensing year - expiration date 3/31/82.  
Motion passed with 5 ayes.

(3) Request of Gordon Wheeler for Trailer Permit - Mr. Wideman advised the Board that a request has been received from Gordon Wheeler, Carnsey Road for a permit to place a trailer on property on Carnsey Road for a period of 12 months. This matter was tabled until the July 23rd meeting to allow time to research the Ordinance and get advice from Town Counsel.

(4) Pechler & Westerman Hearings - the following Resolution was offered for the Board's consideration.

Motion number: 1981-0055 Date: June 25, 1981  
Motion by: Bruce Wideman, seconded by David Lyon  
Title: Table Decisions on Pechler and Westerman Applications  
Resolved, that the Town Board of the Town of Palmyra, upon advice of counsel, table decisions on the Pechler and Westerman Applications until transcripts of the hearings and Findings of Facts can be completed.

Motion passed with 5 ayes.

Town Highway Superintendent James DeBrine spoke with the Board concerning the re-posting of Galloway Bridgg. Mr. DeBrine informed the Board that a report is forthcoming from the County and rather than over-ride the State's decision, he would prefer to wait for recommendations in regard to this matter.

Mr. DeBrine also referred to the citations from the Department of Labor - OSHA and was advised to send a letter when all the corrections are made.

The motion to adjourn was made by Bruce Wideman, seconded by David Lyon and passed with 5 ayes.

Respectfully submitted,

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

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WHEELER  
REQUEST  
TRL. PERMIT

MOTION NO.

81-0055

TABLE DEC.

PECHLER &  
WESTERMAN  
APPLICA.

GALLOWAY  
BRIDGE  
POSTING

MOTION TO  
ADJOURN

July 23, 1981

REG. MTG.  
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened by Supervisor Kaempffe at 7:30 P.M. on Thursday, July 23, 1981 in the Town Office, 201 East Main Street, Palmyra, New York.

Those present were led by Town Councilman Bruce Wideman in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempffe, Town Councilmen Bruce Wideman and Edwin Wheeler.

Others attending the meeting were: Cecilia P. Harrington, Minnie Breed, Henry Nesbitt, Andy Forand, Merrill Gray, Thomas J. Thuff (?), Emerich R. Musko, Elizabeth Maier, Larry Westerman, Cheryl Westerman, Pat Pitts, W.J. Pitts, Judson Roney, Town Assessor and Paul Rubery, Town Attorney.

MOTION TO  
APPR. MIN.  
OF 6/25

Following a review of the minutes of June 25th, a motion was made by Edwin Wheeler to approve the minutes as submitted. The motion was seconded by Bruce Wideman and passed with 3 ayes.

MOTION TO  
PAY CLAIMS  
ON ABSTR. 6A  
& ABSTR. 7

Following a review of claims submitted for payment, a motion was made by Bruce Wideman, seconded by Edwin Wheeler to approve payment of Vouchers as listed on Abstract # 6A and Abstract # 7. Motion passed with 3 ayes. The Claims/Vouchers were listed by Funds as follows:

Abstract # 6A -

|                      |                   |            |
|----------------------|-------------------|------------|
| GENERAL FUND         | Vouchers #192-195 | \$10900.36 |
| PART TOWN FUND       | " # 40- 41        | 385.27     |
| HIGHWAY ITEM I       | " # 23- 24        | 519.02     |
| NORTH WATER DISTRICT | " # 16- 17        | 140.51     |
| SOUTH WATER DISTRICT | " # 19- 20        | 67.99      |
| EAST WATER DISTRICT  | " # 17- 18        | 18.13      |
| TOTAL                |                   | \$12031.28 |

Abstract # 7 -

|                      |                   |            |
|----------------------|-------------------|------------|
| GENERAL FUND         | Vouchers #196-217 | \$ 2496.09 |
| PART TOWN FUND       | " # 42- 46        | 330.44     |
| HIGHWAY ITEM I & IA  | " # 25- 32        | 12991.52   |
| HIGHWAY III          | " #117-131        | 2938.49    |
| NORTH WATER DISTRICT | " # 18- 20        | 3896.78    |
| SOUTH WATER DISTRICT | " # 21            | 1649.83    |
| EAST WATER DISTICE   | " # 19- 20        | 505.60     |
| TOTAL                |                   | \$24808.75 |

T. E. COOK &  
LYON JOINED  
MTG.

Town Councilman Nelson Cook joined the meeting at 7:40 P.M. and Town Councilman David Lyon joined the meeting at 7:45 P.M.

COMMUNICATIONS - the following items of correspondence were presented to the Board for their review.

- (1) Copies of letters from Fred Kaempffe to Palmyra Courier-Journal to the attention of Jack Allen in regard to the County Tax Notice Publication.
- (2) Notice from the Department of State in regard to the 1980 Census.
- (3) Letters to Clerk from Paul Kehoe and Frank Talomie concerning Certified copies of Birth and Death Certificates.
- (4) Letter from Mrs. Elizabeth Maier in regard to the Westerman Application
- (5) Thank you from Kevin O'Neill - Reeves Parker Scholarship.
- (6) Invitation - Palmyra Canal Town Days Parade.
- (7) Letter from Ramona Yusko concerning the Pachler Application.
- (8) Quotes on Fire Extinguishers from Churchville Fire Equipment Company.
- (9) Automatic Voting Machine Corporation - Notice of price increase - this communication was referred to the Voting Machine Custodians.
- (10) Letter from James Foley in regard to the Wheeler Application - referred to Committee # 5 - Bruce Wideman.

REPORTS OF  
COMMITTEES

## Reports of Standing Committees -

## Committee # 1 - Fred Kaempffe

COMM. # 1

ASSESSMENT

(1) Assessment - Supervisor Kaempffe requested Town Assessor Judson Roney to speak to the Board in regard to the request for some compensation for the Board of Assessment Review. Mr. Roney stated that in the years 1977, 1978 and 1979, the Board was compensated. In 1980, there were only a few cases and the Board was not compensated. Mr. Roney also stated that, according to his information, Boards are compensated in other Towns and the Palmyra Board members are aware of that fact. The Board met on one day from 9:00 A.M. - 10:00 P.M. and on two separate evenings, 7:30 - 9:30 and 7:30 - 11:00. Mr. Roney recommended that \$50 be allowed for the Chairman and \$30 for each of the other members of the Board of Assessment Review. Following a review of this report from Mr. Roney, a Resolution was offered for the Board's consideration.

BD. OF ASSESS  
REVIEW-COMP.

Motion number: 1981 - 0056 Date: July 23, 1981  
Motion by: Bruce A. Wideman, seconded by Edwin Wheeler  
Title: Board Approval for Compensation to Members of the Board of Assessment Review

MOTION NO.

81-0056

COMPENSATION

FOR BD. OF  
ASSESS. REV.

Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from the Contingent Account No. A 1990.4 to the Assessor's Contractual Expense Account No. A 1355.4 in the amount of \$170.00, and

Be it further Resolved, that members of the Board of Assessment Review be compensated for work during 1981 Grievance Day, the Chairman to receive \$50, the remaining 4 members to receive \$30.00.

Motion passed with 5 ayes.

(2) Town Permits - Mr. Kaempffe reported that several calls had been received the week prior to the Board meeting in regard to complaints concerning solicitors for the Unification Church. The Town has no law at this point to prevent soliciting. Town Councilman Edwin Wheeler questioned if there was a model type law available for this type of situation. Mr. Wideman suggested that the Town Attorney prepare a Proposed Local Law for the Board to consider but David Lyon stated that he didn't feel there was enough of a problem to warrant passing a Law or Ordinance at this time. Supervisor Kaempffe requested the Town Attorney to prepare a Proposed Local Law for the Board to review at the next meeting.

TN. PERMITS

(3) 1982 Budget - Mr. Kaempffe indicated that each Board member has a copy of the re-calculation of the 1981 rates to be used for Budget work. This was reviewed by Mr. Kaempffe and a brief discussion followed.

1982 BUDGET

(4) Water Policy - Mr. Kaempffe spoke to the Board in regard to the several requests for extensions to the existing Water Districts and questioned how the Board wished to proceed. He referred to the Study which was done last December by 5 or 6 Engineering firms but stated that he felt the Board should get some community input at this time. Following discussion on this matter, the suggestion was made to hold an Informational meeting in September. It was also suggested that Hershey-Malone Associates, Town Engineers and the other engineering firms involved in the Study be notified. More discussion followed. Bruce Wideman offered the following Resolution for the Board's consideration:

WATER  
POLICY

INFO. MTG.

Motion number: 1981-0057 July 23, 1981  
Motion by: Bruce Wideman, seconded by Nelson Cook  
Title: Approval to Advertise for

MOTION NO.

81-0057

APPR. TO ADV  
FOR INFO

Resolved, that the Town Board of the Town of Palmyra advertise that an Informational hearing concerning the Water Policy for the Town of Palmyra will be held in September - place and date to be established.

Motion passed with 5 ayes.



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COMM # 2

FAGNER RD.

Committee #2 - David Lyon

1. Fagner Road - Mr. Lyon reported that the preliminary construction work is completed on the Fagner Road Project and the last - Right of Way agreement for Fagner Road has been signed and filed.

FAGNER RD.RD. RE-SURF.

The Town Highway crew is presently working on some re-surfacing projects under the Donavan Plan and will be returning to the Fagner Road Project.

RD. RE-SURF.BRIDGES

2. Bridges

BRIDGESGALLOWAY

(a) Galloway Bridge - Mr. Lyon Questioned Town Attorney Paul Rubery in regard to the letter which he was to send to Penn Central Railroad. Mr. Rubery reported that no response has been received as yet but he indicated that some research had been necessary prior to sending the letter and that would delay any response. This matter was tabled to the August meeting.

HOGBACK HILL

(b) Hogback Hill Bridge - Mr. Lyon stated that a letter has been received from the County Highway Superintendent advising that the closing of this bridge has been extended as there are extensive repairs needed and there are some complications at the County level. Supervisor Kaempffe suggested that Mr. Lyon write a letter to the County for clarification and further information.

COMM. # 3

Committee # 3 - Nelson Cook

CABLE TV

1. Cablevision - At this time, Merrill Gray, and Andy Forand of Wayne County Cablevision, Inc. appeared before the Board. Mr. Gray stated that the reason for their appearance was to request a date for an amendment hearing to the Franchise currently in effect with the Town of Palmyra. He also stated that the negative feelings at the last Town Board meeting did not go unnoticed and he reviewed the history of Cable T.V. in Palmyra. He informed the Board that the Franchise Agreement made with the Town of Palmyra is one(1) year old and it contains the same rates as set by the former Company. Mr. Gray also explained the increases in rates as set down in the requested amendment to the Franchise. The Company is currently negotiating with eleven (11) communities within Wayne County - the requested rates will be the same for all communities. Discussion followed with both Mr. Gray and Mr. Forand responding to questions from the Board. Subjects of discussion were:

1. Percentage rate of Increase
2. Service to East Palmyra
3. Minimum density of 35 homes per mile
4. With fewer homes per mile, an adjusted rate is offered
5. Surveys done by the Company
6. Policy on adjusted rates

The following Resolution was offered at this time.

MOTION NO.

Motion Number: 1981-0058 Date: July 23, 1981  
 Motion by: Bruce Wideman, seconded by Nelson Cook  
 Title: Approval to advertise for Public Hearing -Amendment to Franchise with Wayne County Cablevision Inc.

81-0058

APPR. FOR  
HRC.

Resolved: that the Town Board of the Town of Palmyra grant approval to advertise for a Public Hearing on an amendment to the Franchise Agreement between the Town of Palmyra and the Wayne County Cablevision, Inc. - Hearing to be held on Thursday, September 24th at 7:30 P. M. in the Town Office, 201 E. Main Street.

Under discussion, Mr. Wheeler questioned the four (4) new channels which will be available late this fall and Mr. Cook questioned the basic

monthly rate of \$9.50.

Motion passed with 5 ayes.

2. Sale of Old Landfill Site - Mr. Kaempffe requested Mr. Dook to contact the original owners of that parcel of land to find out if there is any interest in buying back that property, or perhaps, trading for some other property. Don Quigley, Carnsey Road, has indicated an interest in the old Landfill Site and Mr. Dook was asked to also contact him. There was a brief discussion on the use of the old site.

LANDFILL  
OLD SITE

Committee # 4 - Edwin Wheeler - Nothing to report at this time.

COMM. # 4

Committee # 5 - Bruce Wideman

COMM. # 5

Mr. Wideman stated that he thought he would take the items on the agenda in reverse order as there were two (2) he thought might be lengthy.

Supervisor Kaempffe asked to make a statement for everyone present: "On these applications, tonight's meeting is not a hearing. The Board does not have to hear comments unless it chooses to do so. Anything that is presented tonight is, in some instances, extraneous because on certain of these applications we are required by law to use the proceeds of the official hearing. Any and all of the comments of the official hearings which we had several weeks ago we used to make a decision, so anything that comes up tonight, legally, we should not consider as we deliberate on some of these hearings. With that, I'll give it back to Bruce."

STATEMENT  
BY SUPER.

1. Request from Mr. & Mrs. Treppa - Cambier Road. - An application for an annual permit to place a mobile home on property owned by Mr. & Mrs. Treppa on Cambier Road for a residence for parents who need care was presented to the Board. Judson Roney, Zoning Officer reviewed the application and he and Mr. Treppa discussed this request with the Board. Following this discussion, a motion was offered for the Board's consideration.

TREPPA APPLIC

Motion Number: 1981-0059 Date July 23, 1981

MOTION NO.  
81-0059

Motion by: Edwin Wheeler, seconded by Bruce Wideman

Title: Board Decision to table Treppa request to August 27th

Resolved: that the Town Board of the Town of Palmyra refer the application of Mr. & Mrs. Treppa for permit to place Mobile Home on property on Cambier Road for the use of parents who need care to Committee #5 and the Town Attorney for study in regard to matters of law and table decision to the next meeting, August 27th.

Motion passed with 5 ayes.

2. Proposed Zoning Ordinance - Mr. Wideman reported that progress is slow but things are moving in the right direction and, hopefully, by September a working document will be available.

PROP. ZON.  
ORDINANCE

3. Gordon Wheeler Application - The request of Gordon Wheeler for permit to place a mobile home on property on Carnsey Road was tabled to the August meeting as requested by James Foley, Mr. Wheeler's attorney. There was a brief discussion on the number of trailers already on the property.

WHEELER  
APPLICATION

4. Lawrence Westerman Application for Special Authorization Supervisor Kaempffe requested Town Attorney, Paul Rubery, to review the Findings of Fact. A motion was offered by Supervisor Kaempffe that the request of Lawrence Westerman be approved as submitted and Edwin Wheeler seconded the motion. Bruce Wideman requested that the motion include that the applicant will abide strictly by the provisions of the Zoning Ordinance in regard to outside storage of junked vehicles, parts, automobiles, etc. which allows no outside storage, also that any sign meets the requirements of the Zoning Ordinance. David Lyon stated that an interesting fact was that the Board has approved several other retail-oriented enterprises at that location and has had

WESTERMAN  
APPLICATION

MOTION NO.

81 - 0060

no opposition from the neighbors prior to this one but there were several in opposition in this case for this type of use.

Motion number: 1981-0060 Dated July 23, 1981

Motion by: Fred Kaempffe, Seconded by Edwin Wheeler

Title: Approval of Application of Lawrence Westerman

WHEREAS, an application of Lawrence Westerman was duly filed for special authorization to operate an automobile repair shop at 4325 Newark Road, Palmyra, New York, with the Town Board of the Town of Palmyra; and WHEREAS, a notice of a proposed hearing was duly published in the Courier Journal, the official newspaper of the Town of Palmyra, on June 10th, 1981 notifying the public that a hearing would be held on June 25, 1981 at 8:00 p. m. to consider the above application of Lawrence Westerman; and WHEREAS, the hearing was held on June 25, 1981 as close to 8:00 p.m. as could be arranged and all those who desired to be heard were heard and their testimony recorded; and WHEREAS, all testimony has been carefully considered and the following pertinent facts noted:

1. Lawrence Westerman is the contract vendee to purchase 4325 Newark Road in the Town of Palmyra, pursuant to a contract of May 26, 1981.
2. That the aforesaid contract is subject to obtaining approval of the use of the premises for a commercial automotive repair shop.
3. That the premises are currently owned by Elizabeth Maier.
4. That the premises are located in an area which is zoned "agricultural".
5. That the immediate area has a mixed use of residential and some commercial.
6. That the subject premises are currently operating under a special authorization as a picture studio and a residence on the lower floor.
7. That the subject premises have previously been used as a combined bakery and residence.
8. That the lot is a peculiar shaped lot, bounded on the east by the lands of the Barge Canal and on the west by the lands of New York State Route 31, narrowing to a point at the north.
9. That the Planning Board of the Town of Palmyra recommended approval.
10. Parking accommodations, as presently constructed, will hold nine or ten cars total.
11. Garage repair facilities normally store vehicles out of doors.
12. That other garage repair facilities in the Town have been unable to keep their areas neat.
13. That this is an application pursuant to Article III, Section 3.2, paragraph B of the Town of Palmyra Zoning Ordinance, in that the use of land other than for farm purposes requires special authorization from the Town Board.
14. That special authorization is made by an application pursuant to Article VII, Section 7.1 of the Zoning Ordinance of the Town of Palmyra.
15. That Route 31 is a heavily traveled statehighway.
16. That the lot is narrow and oblong shaped.
17. That there is no place to store vehicles while awaiting parts, except about the exterior of the building.

WHEREAS, the above findings of fact having been established, the following conclusions of law are noted:

18. That there was no showing that there was a hardship for the applicant.
19. That the proposed use would not be in conformity with the existing use in the neighborhood.
20. That the facilities available for the use proposed and the storage necessary are inadequate for the proposed use.
21. That the storage and disposition of waste had not been provided for to minimize the possible detrimental effects of the proposed use on the neighborhood.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra does hereby deny the application of Lawrence Westerman for a special authorization to use 4325 Newark Road as a residence and automobile repair shop.

Roll Call Vote was as follows:

APPLICATION  
DENIED

|                    |                           |
|--------------------|---------------------------|
| Fred Kaempffe - No | Edwin Wheeler - No        |
| David Lyon - No    | Bruce Wideman - Abstained |
| Nelson Cook - No   |                           |

5. Pechler Application for Special Authorization  
A motion was offered by Bruce Wideman that the application submitted by Arnold and Thelma Pechler for a Seasonal Liquor License at their business, Pechler's Trails be denied. The motion was seconded by Nelson Cook. The Findings of Fact and Conclusions of Law were presented to the Board by Town Attorney, Paul Rubery. David Lyon raised the question "What control does the Board have once a Seasonal License is granted?" Supervisor Kaempffe replied that it was his understanding it was within the legal right of the applicant at any time to request a full license and it was also his understanding that there was a good possibility the ABC Board would grant such a License. Mr. Rubery said "that is true". Mr. Kaempffe stated, "in effect, we have no control over the liquor license itself" and, again, Mr. Rubery said "That's true", and continued by saying that there is one area where there would be some restrictions -- a Club type facility.

The Board continued to discuss the possible ways for control if a seasonal license was approved and what control there could be if the applicant asked for and was granted a full Liquor License.

At this time, Bruce Wideman made the following Statement, "I feel we're overlooking something very important -- you know, I was appalling at the last Board Meeting as I read in the paper -- I guess really I am appalling, maybe more frequently than I think but in any event, I tried to bring out something at that meeting which I felt was very important and I don't think anyone has discussed it and that is the precedent that, hopefully, we are not about to set up and that is allowing new places that sell alcoholic beverages to exist in agricultural districts in the Town and I'm saying it at that microphone because I thought we started out here by saying we were not going to allow any new submission of information at this meeting and I find now that things that should have been discussed at the public hearing and becoming part of the record, were not, and, because I am an appalling type of person, I brought things out that I thought were important at that meeting. And, I think, again-- the important thing is this -- "Does this Board want bars to exist in Agricultural Districts in the Town?" Supervisor Kaempffe - "more bars" -- Town Councilman Wideman - "More bars". Thank you. I'd like to call the question.

STATEMENT  
BY TOWN  
COUNCILMAN  
WIDEMAN

The Clerk was requested to read the motion as submitted.

Motion Number: 1981-0061 July 23, 1981

MOTION NO.

Motion by: Bruce Wideman, seconded by Nelson Cook

81 - 0061

Title: Decision on Pechler Application

DECISION ON  
PECHLER  
APPLICATION

WHEREAS, an application of Arnold and Thelma Pechler, having been duly filed with the Town Board of the Town of Palmyra; and

WHEREAS, said application seeks to amend an existing special authorization to allow the sale of alcoholic beverages at their cross country skiing facility located on Shilling Road, Palmyra, New York; and

WHEREAS, a notice of proposed hearing was published in the Palmyra Courier Journal, the Town of Palmyra legal newspaper, on June 10, 1981, giving notice of the public hearing to be held on June 25, 1981; and

FINDINGS OF  
FACT

WHEREAS, a hearing was held on June 25, 1981, at the Town Office in the Town of Palmyra; and

WHEREAS, at said hearing all those who desired to be heard were heard and their testimony has been carefully considered and the following pertinent facts noted:

1. Arnold and Thelma Pechler are the owners of land in an agricultural district in the Town of Palmyra.

2. The land is bounded on the east by Shilling Road, on the north by lands of Uderitz, on the west by N.E. Route 21, and on the south by lands of DeRycke and Vanderwalle.

3. They currently operate a cross country skiing facility on the land which is improved with a converted barn acting as a ski center with a space for offices, lounge, and sales shop.

4. Article III, Section 3.2, paragraph B of the Town of Palmyra



PECHLERFINDINGS  
OF FACTCONT'D

Zoning Ordinance states that the use of land other than for farm purposes requires a "special authorization" from the Town Board.

5. That a "special authorization" is secured by an application to the Town Board of the Town of Palmyra pursuant to Article VII, Section 7.1 of the Zoning Ordinance.

6. In 1978, Arnold and Thelma Pechler applied to the Town Board for a special authorization to operate a cross country skiing facility on their land, the subject of this application, which was within an agricultural district.

7. There was no specific request in the application for permission to sell alcoholic beverages for on premises consumption.

8. That the question of the sale of alcoholic beverages for on premises consumption was raised before both the Town Planning Board and the Town Board.

9. That after a public hearing the Town Board approved a special authorization on certain conditions as set forth in a letter of October 16, 1978. One of the conditions was that "no alcoholic beverages be sold on the premises."

10. The applicants herein did not appeal the conditions of the special authorization, and operated the cross country ski facility as a commercial facility.

11. That in 1979, by a letter, the applicants herein applied for a special authorization for the same premises to allow the sale of alcoholic beverages for on premises consumption.

12. The application was denied and the matter was appealed to the Supreme Court of the State of New York for Wayne County. The matter was referred back to the Town of Palmyra for a re-hearing.

13. The Town Board of the Town of Palmyra held a public hearing on January 10, 1980, pursuant to Article VII, Section 7.1 of the Town of Palmyra Zoning Ordinance.

14. The application of Arnold and Thelma Pechler to sell alcoholic beverages at their cross country ski facility was denied on the following grounds:

- A. That the operation of a bar and restaurant at the ski facility would not be in harmony and keeping with the neighborhood.
- B. 1) That the sale of alcoholic beverages at the facility would increase the potential hazard to the residents of the area.
- 2) That an increase of traffic and the introduction of drivers whose ability to operate is impaired will increase the hazards to the residents of Shilling Road.
- 3) That the sale of alcoholic beverages at the facility is likely to increase the number of drivers whose ability to drive is likely to be impaired.
- C. That there were no special circumstances or conditions applying to the parcel that requires beer or liquor to be dispensed to obtain a reasonable return on the applicants' property.
- D. That Shilling Road was not designed or built to accommodate commercial traffic.
- E. That there are no other commercial facilities on Shilling Road and that there has been no change in the neighborhood other than the cross country skiing facility, since it started.
- F. That the Town of Palmyra is without authority to control the operation of a licensed premises (once licensed), and that the State Liquor Authority is the responsible agency for issuing licenses.
- G. The original special authorization restricting the facility from selling alcoholic beverages was never the subject of an appeal.

15. The Pechlers commenced Article 78 proceeding in Supreme Court, Wayne County to reverse the denial of the Town Board.

16. The Supreme Court granted an Order August 25, 1980, denying the Pechler application and dismissing the petition of the Pechlers.

17. The Pechlers filed a new application with the Town Board for special authorization for the sale of liquor refreshments in their lounge

and asked for a right to petition the State Liquor Authority for a seasonal permit for on premises consumption of beer and wine.

18. That the principal access to the cross country skiing facility is by motor vehicle over a public highway known as Shilling Road (a Town highway) which is used as a high speed highway.

19. That the neighborhood is largely residential/agricultural.

20. That the road is a Town road and there has been no change in its design or construction since the last application.

21. That the facility had been opened with the knowledge that the sale of alcoholic beverages had been banned.

22. That the fact situation is the same as in the previous application except the applicants are asking that:

- A. They have the right to obtain a "limited liquor license".
- B. The license be for on premises consumption.
- C. The applicants have expressed an interest in:
  - 1) A seasonal liquor license.
  - 2) A license restricted to on premises consumption of beer and wine.
  - 3) Sales will be restricted as in a club to individuals using the trails, or who are purchasing or renting equipment and/or supplies from the ski shop, on the same date as the purchase or rental of supplies or equipment or the use of the trails.
  - 4) The applicants would close at 10:00 or 11:00 p.m.
  - 5) There would not be any extended advertising of the bar.
  - 6) There would be adequate offstreet parking.

23. That the type of people frequenting cross country skiing facilities are not "rowdies".

24. That there is at least one bar within two miles of the facility.

25. That currently there is no rule preventing persons using the facility from picnicing and bringing their own legal beverages and consuming it at the facility.

26. That the Planning Board of the Town of Palmyra recommended approval of the sale of alcoholic beverages - beer and wine only - for on premises consumption by users of the trails and ski shop customers on a seasonal basis, November 1 through April 1.

27. That all ski areas in the vicinity offer legal beverages for sale for on premises consumption.

28. That drunks cannot ski.

29. That a facility that does not offer beer and wine, at least, may not be competitive with the cross country ski facilities in the area. WHEREAS the above findings of fact, having been established, the following conclusions of law are noted.

30. That there is no change in the neighborhood since the granting of the original special authorization for a cross country ski area.

31. That the Town may not regulate the sale of legal beverages once a license is issued by the State Liquor Authority.

32. That Shilling Road was not designed for high speed nor heavy traffic.

33. That the Town of Palmyra, acting by the Town Board may reasonably condition the operation of the Pechlers' business pursuant to the Special Authorization originally issued by the Town of Palmyra.

34. That there are no special conditions or circumstances surrounding the subject parcel that requires a beer, wine, or liquor license be used to obtain a reasonable return on the applicants' property.

35. That the sale of alcoholic beverages at the cross country skiing facility will increase the potential hazard to the residents of the area.

36. That the operation of a bar and restaurant at the site would not be in harmony and keeping with the neighborhood.

37. That the sale of alcoholic beverages at the cross country ski facility will increase traffic on Shilling Road and will possibly increase the number of drivers on said road whose ability to drive would be impaired.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra on the findings of fact and conclusions of law does hereby deny the application of Arnold Pechler and Thelma Pechler, his wife.

Roll call vote was as follows:

Fred Kaempffe - Yes

Nelson Cook - Yes

Bruce Wideman - Yes

David Lyon - Yes

Edwin Wheeler - Yes

PECHLER

FINDINGS OF FACT

CONT'D

CONCLUSIONS OF LAW

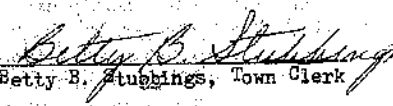
PECHLER APPLICATION DENIED

Supervisor Kaempfe asked if there was anything to be brought up under open discussion. There was nothing offered.

MOTION TO  
ADJOURN

The motion to adjourn this meeting was made by Nelson Cook, seconded by Bruce Wideman and passed with 5 ayes.

Respectively Submitted,

  
Betty B. Stubbings, Town Clerk

August 27, 1981

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The regular meeting of the Town Board of the Town of Palmyra was called to order by Supervisor Kaempffe at 7:50 P.M. on Thursday, August 27, 1981 in the Town Office, 201 East Main Street, Palmyra, New York.

MEETING  
OPENED

Those present were led by Town Councilman David Lyon in the Pledge of Allegiance to the Flag.

Upon Roll Call, the following Town Officers were present: Supervisor Fred Kaempffe, Town Councilmen David Lyon and Edwin Wheeler.

ROLL CALL

Following a review of the minutes of July 23, 1981, Supervisor Kaempffe made the motion that the minutes as presented be amended to show the Roll Call on the Westerman vote (page 56) to follow the Westerman Application Motion on page 55. The motion was seconded by Edwin Wheeler and passed with 3 ayes. The motion to approve the minutes as amended was offered by Edwin Wheeler, seconded by David Lyon and passed with 3 ayes.

MOTION TO  
AMEND MIN.

MOTION TO  
APPR. MIN.  
7/23/81

The Claims/Vouchers submitted for payment were reviewed by the Board. The motion to approve payment of Vouchers as shown on Abstract # 7A, #8 and # 8A, was made by Edwin Wheeler, seconded by Fred Kaempffe and passed with 3 ayes. David Lyon abstained on Voucher # 141. The Vouchers were listed by Funds as follows:

MOTION TO  
APPR. PAYM.  
OF VOUCHERS  
ON ABSTR.  
7A, 8 & 8A

ABSTRACT # 7A -

|                      |                   |            |
|----------------------|-------------------|------------|
| GENERAL FUND         | Vouchers #218-219 | \$ 5146.43 |
| HIGHWAY ITEM I & IA  | " # 33- 34        | 4521.03    |
| SOUTH WATER DISTRICT | " # 22            | 5.52       |
| EAST WATER DISTRICT  | " # 21            | 86.67      |
| TOTAL                |                   | \$ 9759.65 |

ABSTRACT # 8 -

|                      |                   |            |
|----------------------|-------------------|------------|
| GENERAL FUND         | Vouchers #220-240 | \$ 2139.65 |
| PART TOWN FUND       | " # 47- 50        | 363.83     |
| HIGHWAY ITEM I & IA  | " # 35- 47        | 31029.42   |
| HIGHWAY ITEM III     | " #132-148        | 1498.54    |
| SOUTH WATER DISTRICT | " # 23            | 12.94      |
| EAST WATER DISTRICT  | " # 22- 24        | 114.22     |
| TOTAL                |                   | \$35158.60 |

ABSTRACT # 8A -

|                |                   |            |
|----------------|-------------------|------------|
| GENERAL FUND   | Vouchers #241-242 | \$ 5190.95 |
| HIGHWAY ITEM I | " # 48            | 504.45     |
| TOTAL          |                   | \$5695.40  |

Town Councilman Nelson Cook joined the meeting at 7:55 P.M..

The following communications were presented to the Board for their review:

COMMUNICATIONS

1. Letter from Conifer Consulting Services, Inc. re: Housing rehabilitation in the Village of Palmyra. Mr. Kaempffe reviewed this communication and informed the Board that there is money left and eligible applicants can't be found in the Town of Palmyra. The Village was excluded in this program and a gain was denied. A new advertising campaign will try to locate some applicants in order to use the money, otherwise, the money will have to be returned.

2. Letter from Town of Macedon re: W. Pulcini Gravel Mine - will be filed with other Pulcini correspondence.

3. Copy of letter to Mayor Wilson from Rochester-Genesee Regional Transportation Authority re: "Friday Shopper's Bus"

4. Request from Mrs. Briggs - Annual Zoning & Planning Institute - referred to Committee # 5.

5. Letter from New York State Department of Health re: Public Water Supply NYSSG Part 5 Revisions - received and referred to Mr. Cook and Mr. Kruger.

6. Letter to James DeBrine from New York State Electric & Gas - Excavation Permit - referred to David Lyon - Committee # 2.

7. Communications from Town Attorney - items for future reference - referred to the Supervisor.

8. Letter from Harlin Tyler re: Resignation from the Zoning Board of Appeals - referred to Committee # 5.

9. Request from Ellsworth Bedette to attend Annual Zoning & Planning Institute



COMMUNICATIONS CONT'D

tute - referred to Committee # 5.

10. Applications for Review of Assessments - for Board's information.
11. Letter from A.O. Goedde re: Pechler Application. The Clerk was instructed to advise Mr. Goedde of cost of material requested.
12. Letter from Arnold & Thelma Pechler re: Application for Seasonal Liquor license - filed with Pechler's application.
13. Letter from Judson Roney re: completion of training by Judith McIntyre. The Clerk was instructed to send a letter of congratulations to Mrs. McIntyre in regard to her achievement.

At this time (8:15 P.M.), Mr. Charles Richardson who had requested some time to appear before the Board, came forward to speak to the Board in regard to the Palmyra Economic Development Corporation. Mr. Richardson stated that he had good news and bad news. The good news was that the Palmyra Economic Development Corporation had succeeded in attracting a small business to Palmyra. The business, Proven Designs, Inc. will be using 4000 square feet in Bldg. #2 of the old Braiding Plant - East Main St. and Route 21, to set up Plastic Manufacturing equipment (bag lines) to coat bags for Medical and Military use, will employ 5 people immediately and it is expected that will change to 10 people as soon as more machines are available. The PEDC has been negotiating with this business about 9 months and in order to attract the business, a low lease for 2 years was offered, the lease to escalate after that and the PEDC pledged \$3000 of their assets towards the sum of \$13000 for repairs necessary to make use of the area. There are private backers and Mr. Richardson indicated that so far 3 local contractors are being used in the rehabilitation. The bad news was that although the PEDC has received some money from the Town on a quarterly basis, they are requesting the Town to re-open negotiations for other ideas. They are also asking the Village of Palmyra for more money and asking the Village to apply for UDAC Funds.

On other business, the PEDC would like to meet informally with the Town Board in regard to some reconsiderations on the Pechler application.

Mr. Richardson also spoke of the possibility of getting a package together for Agrionics (Gasohol plant) on Kent Street, the property is partly in the Village and partly in the Town. Another prospect is Mobil Chemical who is looking for property with a railroad siding and the PEDC is trying to put a package together for that prospect. If there is a need for additional money for options, the PEDC asked the Town to consider a request for additional funds. The sum of \$3000 to replace the money pledged to Proven Designs is being requested, \$1500 from the Town and \$1500 from the Village of Palmyra. They will meet with the Village on September 10th. Mr. Kaempffe advised Mr. Richardson to submit his request in writing to the Board and the Board would take the matter under consideration.

Mr. Kaempffe requested Zoning Officer Judson Roney to speak to the Board in regard to a request from Stephen Butler. Mr. Roney informed the Board that Mr. Butler's home at 2570 Harris Road was severely damaged by fire on August 7th and he is requesting permission to place a Mobile home on his property to be used as a residence while the repairs are being done on the house, a period of 6 to 9 months. A new septic system will be installed, will be connected to the Mobile home and then connected to the house. The existing well will be utilized. Mr. Roney recommended that this request be granted for a 6 months period with the option to request more time if necessary. Questions were asked of Mr. Butler by the Board and following discussion, a resolution was offered for the Board's consideration.

BUTLER  
REQUEST  
FOR M.H.  
AS TEMP.  
RESIDENCE

MOTION NO.

81-0062

Motion number:

1981-0062

Date: August 27, 1981

Motion by:

David Lyon, seconded by Nelson Cook

Title:

Request for Mobile Home - Stephen Butler

# AFFIDAVIT OF PUBLICATION

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

NOTICE OF THE  
GIVEN that the regular  
meeting of the Town Board  
of the Town of Palmyra  
scheduled for Thursday  
September 10, 1981, was  
cancelled by a Resolution  
adopted by the Town Board  
at their regular meeting  
held on Thursday, August  
27, 1981. The next regular  
meeting of the Town Board  
of the Town of Palmyra  
will be held on Thursday  
September 24, 1981, at  
the order of the Town Board of  
the Town of Palmyra.  
DATED August 28, 1981  
Sally B. Stubbins  
Town Clerk (629)

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

Sept. 2, 1981

Sept. 9, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 10th day of Sept 1981

*Judith A. MacDuff*  
Notary Public

Fee: \$11.14

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4735126  
Expiration Date March 30, 1983

Resolved, that the Town Board of the Town of Palmyra approve a request of Stephen Butler, 2570 Harris Road, to place a mobile home on his property to be used as his residence for a period of 6 months while construction and repairs are being done on the house damaged by fire. Mr. Butler also has the option to request more time if necessary.

Motion passed with 4 ayes.

Mr. Roney stated that he felt the East Palmyra Fire Department should be complimented on their speedy arrival at the scene and on the excellent job in saving the house. Mr. Butler also spoke in regard to the assistance from the Marion Fire Department.

Committee # 1 - Fred Kaempffe

(1) Proposed Soliciting and Peddling Law - Mr. Kaempffe spoke briefly to the Board in regard the draft of a Soliciting and Peddling Law and stated that after reviewing it the Board might want to consider it as a tool to use in the future in case of situations similar to the recent complaints concerning the Unification Church.

(2) Budget - Mr. Kaempffe reported that a Budget work-shop was held earlier in the week and letters have been sent advising Department heads of the September 4th deadline for Budget requests.

(3) CASH Program - Mr. Kaempffe informed the Board that there still is about \$16,000 of unspent funds for use in Housing rehabilitation in the Town of Palmyra. The requests for approval to use these funds in the Village of Palmyra have been denied. Another attempt through advertising will be made to find "homes" for these funds. Discussion followed concerning some possibilities.

(4) College courses - Information has been received that the County has made some college courses available to those interested. There are five seminars for Key Management people.

(5) Assessment - Mr. Kaempffe stated that the appraisal of Garlock property will be considered in the Budget for 1982.

(6) The Town Board is accepting estimates for roof repairs on the Town Building.

(7) Informational meeting on a Town Water Policy - Mr. Kaempffe announced that a meeting on a Town Water Policy will be held at the Palmyra Fire Hall on Thursday, September 10th in place of the regular Town Board meeting and the following Resolution was offered.

Motion number: 1981-0063 Date: August 27, 1981

Motion by: Fred Kaempffe, seconded by David Lyon

Title: Cancellation of first regular meeting in September

Resolved, that the first regular meeting of the Town Board of the Town of Palmyra scheduled for September 10, 1981 be cancelled and be replaced with the informational meeting on a Town Water Policy to be held at the Palmyra Fire Hall Thursday, September 10th at 7:30 P.M.

Motion passed with 4 ayes.

Committee # 2 - David Lyon

(1) Bridges

(a) Galloway Bridge - The Board along with the Town Attorney discussed the counter offers from Penn Central, 1 for \$3500 and an alternate for \$1000. A copy of a letter from Supervisor Kaempffe to Garlock, Inc. was read by the Clerk. Following further discussion, a resolution was offered for the Board's consideration.

Motion number: 1981-0068 Date: August 27, 1981

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Authorization to accept Alternate Counter Offer from Penn Central

63

Motion no.

81-0062

CONT'D

PRaise FOR  
E. PAL. &  
MARION FIRE  
DEPTS.

COMM. # 1  
PROP. SOLIC.  
& PEDDLING LAW

BUDGET

CASH PROG.

COLLEGE  
COURSES

ASSESSMENT

ESTIMATES  
ROOF REPAIRS

WATER MTG.

MOTION NO.  
81-0063

SEPT. MTG.  
CANCELLED

COMM. # 2

BRIDGES

GALLOWAY  
BRIDGE

64  
MOTION NO.  
81-0064  
CONT'D

Resolved, that the Town Board of the Town of Palmyra authorize the Town Attorney to accept the Penn Central alternate Counter offer to the proposal made by the Town of Palmyra - the Railroad bridge plus 150 feet on each side for the sum of \$1000.

Under discussion, Town Attorney Paul Rubery stated that he will proceed to take title when the Board authorizes it but a survey may be requested and that will take time. The Town will also need a commitment from the State assuring the Town that the 2 bridges South of this bridge will be maintained. Mr. Rubery will also ask for a Right of Way to the Canal Department Spoil area.  
Motion passed with 4 ayes.

POSTING OF  
CALLOWAY  
BRIDGE

There was some discussion on the posting of Calloway Bridge. If the Town erects more signs, it is expected that 4 signs will be needed at an approximate cost of \$75 each. Some checking will be done and a report will be made at the next meeting.

CO. BRIDGES

(b) County Bridges - There are 2 bridges in the Town of Palmyra, the East TownLine Road Bridge and the Hogback Hill Road Bridge, which are a part of a group which the County must decide if they are to be salvaged or scrapped.

(2) Town Highway Crew - Mr. Lyon reported that the crew has primarily been working on the Fagner Road Project.

COMM. # 3

Committee # 3 - Nelson Cook

WATER  
INFO. MTC.

(1) Water - Mr. Cook reminded those present of the Informational Meeting on a Town Water Policy scheduled for Thursday, September 10th at the Palmyra Fire Hall.

PETITION  
SO. WEST  
(STAFFORD)

Mr. Cook reported that a petition requesting water service has been received from residents in the Stafford Road area in the Southwest corner of the Town of Palmyra. This Petition will be filed in the Town Office.

LANDFILL  
OLD SITE

(2) Landfill - The Board discussed briefly the sale of the old Landfill site. Mr. Cook stated he has received information from Mr. Roney in regard to the parcel in question and he is still working on contacting possible buyers. Mr. Lyon indicated that he might have an interested party.

CARLOCK PERMIT  
SIGNED

Mr. Cook reported that the Application for the Carlock Permit to dump fly ash was signed by Supervisor Kaempfe.

CABLE TV  
PUBL HRG.  
9/24/81

(3) Cablevision - The Board discussed the Public Hearing to be held at 7:30 P.M. on September 24, 1981 in the Town Office. Mr. Kaempfe questioned Mr. Rubery concerning who conducts the Hearing and Mr. Rubery responded that the Town does. The Board then discussed the options the Town has after the hearing and the vote of the Board on Wayne County Cablevision's application for an Amendment to the Franchise.

(4) Water (cont'd) - Master Meters

MASTER METERS

Mr. Cook reported that the Badger Meter Company has agreed to replace the Master meters in question, but, the labor and other details have to be worked out.

COMM. # 4  
ELECTION

Committee # 4 - Edwin Wheeler

(1) Election - Mr. Wheeler offered the following Resolution for the Board's consideration.

MOTION NO.  
81-0065  
VOT. MACH.  
CUSTODIAN

Motion number: 1981-0065 Date: August 27, 1981  
Motion by: Edwin Wheeler, seconded by David Lyon  
Title: Approval for subtit. Voting Machine Custodian

Resolved, that the Town Board of the Town of Palmyra authorize Ernest Manska to voluntarily serve to set up the Voting Machine in Election District # 6 for the Primary to be held September 10th to avoid a Conflict of Interest for Ellsworth Bedette, a candidate for Committee man in District # 6.



Motion passed with 4 ayes.

(2) Dogs -

(a) Mr. Wheeler offered the following Resolution:

Motion number: 1981-0066 Date: August 27, 1981

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds

Resolved, that, Whereas, the Town Board approved the use of \$700 from the Dog Control Account for the Town Clerk Deputy Account as per the 1981 Budget, Now Therefore Be It Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from this Dog Control Account A3510.4 to the Town Clerk Deputy Account A1410.2 in the amount of \$700.

Motion passed with 4 ayes.

(b) The Board discussed the Contract between the Town of Palmyra and the Humane Society of Rochester and Monroe County and the following Resolution was offered for the Board's consideration.

Motion number: 1981-0067 Date: August 27, 1981

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Approval of Contract with the Humane Society

Resolved, that the Town Board of the Town of Palmyra enter into a Contract/Agreement with the Humane Society of Rochester and Monroe County for Dog Control Officer and Shelter Services beginning July 1, 1981 - June 30, 1982.

Motion passed with 4 ayes.

(c) Some pros and cons in regard to the need for a Dog Enumeration this year were discussed by the Board and the following Resolution was offered for the Board's consideration:

Motion number: 1981-0068 Date: August 27, 1981

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Approval for a Dog Enumeration

Resolved, that the Town Board of the Town of Palmyra approve a Townwide Dog Enumeration to be completed by December 1, 1981 at a cost not to exceed that of the previous enumeration - \$.50 per dog plus annulage allowance.

Motion passed with 4 ayes.

(3) Community Center - The Contract with the Village of Palmyra for Community Center services has been reviewed by Town Attorney Paul Rubery, James Sapienza, Attorney for the Palmyra Community Center and Supervisor Kaempfe. The following Resolution was offered:

Motion number: 1981-0069 Date: August 27, 1981

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Approval of Community Center Contract

Resolved, that the Town Board of the Town of Palmyra approve the Community Center Contract and authorize the signature of the Supervisor on the Contract between the Village of Palmyra and the Town of Palmyra.

Motion passed with 4 ayes.

A brief recess was declared at which time Supervisor Kaempfe acknowledged the guests who were present at the meeting - Tony Malone of Hershey-Malone Associates, Hon. Gerald DeBarr, Supervisor of the Town of Arcadia, Larry Mooney, Judson Roney and Charles Lyons.

Committee # 5 - Bruce Wideman

(1) Zoning

(a) Discussion on the Re-vision of the Zoning Ordinance and the Zoning Map will have to be re-scheduled, due to the absence of Mr. Wideman.

DOGS

MOTION NO.

81-0066

TRANSFER OF FUNDS

MOTION NO.

81-0067

CONTRACT W/HUMANE SOCIETY

MOTION NO.

81-0068

APPR. FOR ENUMERATION

COMM. CTR.

MOTION NO.

81-0069

APPR. OF COMM. CTR. CONTRACT

ZON. RE-VISION

COMM. # 5  
CONT'D

APPTS. TO  
ZON. BD.

(b) Appointments to Zoning Board of Appeals - Other than the regular appointment in October for an expired term, there is an appointment to replace Harlin Tyler who resigned as a member to this Board. Mr. Kaempffe requested that recommendations be made to him so as to fill the vacancy at the next meeting on September 24th.

TREPPA  
APPLIC.

(c) Treppa Application - The Board listened to Mr. Honey's recommendations concerning the Treppa request to place a Mobile Home on property at 3387 Cambier Road and the following Resolution was offered.

MOTION NO.

Motion number: 1981-0070 Date: August 27, 1981

81-0070

Motion by: Fred Kaempffe, seconded by David Lyon

APPR. OF  
TREPPA  
REQUEST

Title: Approval of Treppa Request for Mobile Home

Resolved, that the Town Board of the Town of Palmyra approve the application of Thomas Treppa, 3387 Cambier Road, to place a Mobile Home on his property for a residence for elderly parents.

Motion passed with 4 ayes.

G. WHEELER

(d) Wheeler Application - Mr. Kaempffe stated that considering there are 5 citations involved, there is some work to be done and the request will have to be tabled.

ZON. CONF.

(e) Zoning Conference - Referring to Communications #4 & #9 - requests from B. Briggs and E. Bedette to attend the Annual Zoning & Planning Conference, the following Resolution was offered:

MOTION NO.

Motion number: 1981-0071 Date: August 27, 1981

81-0071

Motion by: Fred Kaempffe, seconded by Edwin Wheeler

APPR. TO  
SEND E.  
BEDETTE  
TO CONF.

Title: Approval to attend Zoning Conference

Resolved, that the Town Board of the Town of Palmyra authorize Ellsworth H. Bedette, a new member of the Zoning Board of Appeals, to attend the Annual Zoning & Planning Institute to be held at Ellenville, N.Y. in October.

Motion passed with 4 ayes.

Other Business -

NYSE&G  
PERMIT

Returning to Communication # 6 - Request for the Supervisor's signature on the New York State Electric & Gas Corporation Excavation Permit, the following Resolution was offered.

MOTION NO.

Motion number: 1981-0072 Date: August 27, 1981

81-0072

Motion by: David Lyon, seconded by Nelson Cook

AUTHOR. FOR  
SIGNA. ON  
PERMIT

Title: Authorization of Supervisor's Signature on NYSE&G Permit

Resolved, that the Town Board of the Town of Palmyra authorize the signature of Supervisor Kaempffe on a New York State Electric & Gas Corporation Excavation Permit for work on Bear Hill Drive.

Motion passed with 3 ayes - Edwin Wheeler abstained.

MOTION TO  
ADJOURN

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

Respectfully submitted,

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

September 19, 1981

67

A Special Meeting of the Town Board of the Town of Palmyra scheduled for 7:30 A.M. on Saturday, September 19, 1981 in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Deputy Supervisor David Lyon at 7:35 P.M..

MEETING  
OPENED

Mr. Lyon led those present in the Pledge of Allegiance to the Flag.

Upon Roll Call, the following Town Officers were present: Deputy Supervisor David Lyon; Town Councilmen Nelson Cook, Bruce Wideman and Edwin Wheeler. Others attending this meeting were Town Attorney Paul Rubery, Assessor/Zoning Officer Judson Roney, Chuck Lyons of the Courier-Journal and Larry Mooney.

ROLL CALL

Prior to any other business, Deputy Supervisor Lyon spoke briefly with the Board in regard to the 1982 Budget and set a workshop meeting to be held following the regular meeting on Thursday, September 24, 1981.

BUDGET  
WORKSHOP  
MEETING

Deputy Supervisor David Lyon continued the meeting with the stated business of the Special Meeting, that being to elect/appoint a Supervisor, and the Board discussed what possibilities there were to fill the vacancy created when Supervisor Fred Kaempfe resigned. Town Attorney Paul Rubery explained to the Board the legal ramifications involved and the reasons for an immediate appointment of a Supervisor. Mr. Rubery also explained that if a councilman is considered, it will be necessary for that person to resign his office prior to being appointed Supervisor - the Board cannot appoint someone who is already holding an office. Mr. Lyon spoke of the need for a full Board which is especially important at this time when a Budget for 1982 is being prepared. Mr. Rubery suggested that the Board consider one of the 4 Councilmen and it should be someone who will be available to respond to calls and/or emergencies and attend meetings (Town Board, Board of Supervisors, County Committee meetings).

DISC. RE:  
APPT. OF  
SUPERVISOR

Mr. Wheeler requested David Lyon to resign as Town Councilman and accept the office of Supervisor for the remainder of the term which expires December 31, 1981.

Mr. Cook questioned who makes up the Town's Highway Committee now chaired by David Lyon. Mr. Lyon responded that Jon Edinger and Andy Baran were members of the Highway Committee.

At this time, Mr. Lyon stated that he would be willing to give it his best shot if the Board wanted to appoint him as Supervisor.

Mr. Lyon submitted his resignation as Town Councilman of the Town of Palmyra and the following Resolution was offered.

RESIGNATION  
OF TC LYON

Motion number: 1981-0073 Date: September 19, 1981

MOTION NO.

Motion by: Bruce Wideman, seconded by Edwin Wheeler

81-0073

Title: Board Acceptance of David Lyon's Resignation

Resolved, that the Town Board of the Town of Palmyra accept the resignation of David Lyon as Town Councilman of the Town of Palmyra.

Motion passed with 3 ayes.

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

Motion number: 1981-0074 Date: September 19, 1981

MOTION NO.

Motion by: Edwin Wheeler, seconded by Bruce Wideman

81-0074

Title: Appointment of David Lyon as Supervisor

APPT. OF  
D. LYON  
AS SUPER.

Resolved, that the Town Board of the Town of Palmyra appoint David Lyon as Supervisor of the Town of Palmyra for the remainder of the year/term, thru and including December 31, 1981, at full salary and other accruals which accompany the job and responsibility.

Motion passed with 3 ayes.

The following Resolution was offered to make the necessary changes in the Banking procedures.

MOTION NO.

81-0075

OFF. DEPOS.

NOTIFIED OF

SUPER. APPT.

Motion number: 1981-0075 Date: September 19, 1981

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Notification of Supervisor's Appointment to Official

Depositories

Resolved, that the Official Depositories for the Town of Palmyra - Marine Midland and Lincoln First, be notified and the appropriate papers be filled out for David Lyon to be indicated as Supervisor of the Town of Palmyra for the records of those depositories.

Motion passed with 4 ayes.

Following a discussion for filling the office of Town Councilman vacated by the resignation of David Lyon,, the following Resolution was offered:

MOTION NO.

81-0076

APPT. OF

TN. COUNCIL

MAN

Motion number: 1981-0076 Date: September 19, 1981

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Appointment of a Town Councilman

Resolved, that the Town Board of the Town of Palmyra appoint Andrew Baran as Town Councilman to fill the vacancy on the Town Board created by the resignation of David Lyon. The term will expire December 31, 1981.

Motion passed with 4 ayes.

MOTION TO  
ADJOURN

The motion to adjourn this meeting was made by Edwin Wheeler; seconded by Bruce Wideman and passed with 4 ayes.

Respectfully submitted,

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



# AFFIDAVIT OF PUBLICATION

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

**LEGAL NOTICE**  
**Exhibit C**  
The Town of Palmyra, New York announces that a public hearing will be held on Sept. 24, 1981 at 7:30 P.M. in the Municipal building for the purpose of considering a request by Wayne County Cablevision, Inc. for an amendment to its cable television franchise to provide for increases in certain rates and charges. A copy of the complete application for amendment is available for inspection at the office of the Municipal Clerk. DATE 9/16/81 BY Betty Stubbings, Clerk (850) (S15-23)

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. 16, 1981

Sept. 23, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of October 1981

*Judith A. MacDuff*  
Notary Public

Fee: \$ 15.90

JUDITH A. MacDUFF  
Notary Public for the  
State of New York County of Wayne  
47Jut26  
Expiration Date March 30, 1983

## Corporate or Unincorporated Association Resolution for Bank Accounts

Account Numbers \_\_\_\_\_

Offices \_\_\_\_\_

TOWN OF PALMYRA

(Name of Corporation or Unincorporated Association)

201 East Main Street

Palmyra, New York (Address) 14522

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         |    | David C. Lyon <i>David C. Lyon</i>           |
| Deputy Supervisor  |    | Nelson F. Cook <i>Nelson F. Cook</i>         |
| Town Clerk         |    | Betty B. Stubbings <i>Betty B. Stubbings</i> |
| (Any two may sign) |    |                                              |
|                    |    |                                              |
|                    |    |                                              |
|                    |    |                                              |
|                    |    |                                              |
|                    |    |                                              |

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.

## CERTIFIED COPY OF CORPORATE BANKING RESOLUTIONS

TOWN OF PALMYRA

(Name of corporation)

201 East Main Street, Palmyra, New York 14522

(Corporation address)

TOWN BOARD

I hereby CERTIFY that the following is a true copy of resolutions duly adopted by the Board of Directors of

OF THE TOWN OF PALMYRA

, a corporation organized under the laws of the State

of NEW YORK, at a meeting held on September 19, 1981, 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 depository of this corporation and authorized to receive for deposit, at any such office or offices, to the credit of this corporation, or for collection for the account of this corporation, monies, checks, drafts, notes or other instruments for the payment of money, whether belonging to this corporation or otherwise, which may now be or hereafter come into its possession, (all of which shall be deemed, when received for deposit, to have been unqualifiedly indorsed by this corporation whether or not actually so indorsed).

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

Authorized  
Signature(s)

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

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

Other  
Authority

(Indicate manner of signing, i.e. any one, any two, jointly, etc. Use titles where practicable; if persons without titles, insert names.)  
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, guarantees, 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                 |
|--------------------|-------------------|---------------------------|
| David G. Lyon      | Supervisor        | <i>David G. Lyon</i>      |
| Nelson F. Cook     | Deputy Supervisor | <i>Nelson F. Cook</i>     |
| Betty B. Stubbings | Town Clerk        | <i>Betty B. Stubbings</i> |

Witness my hand and the seal of the corporation this 2nd day of October, 1981

(SEAL)

*Betty B. Stubbings*  
TOWN CLERK  
TOWN CLERK

**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.



September 24, 1981

69

The Public Hearing scheduled for 7:30 P.M. Thursday, September 24, 1981 in the Town Office, 201 East Main Street, Palmyra, New York to consider an Amendment to the Franchise between the Town of Palmyra and Wayne County Cablevision, Inc. was opened by Supervisor David Lyon at 7:35 P.M.. The Proof of Publication was read by the Clerk. Mr. Lyon asked if there was anyone who wished to speak in favor of this request and Merrill Gray, General Manager of Wayne County Cablevision, Inc. which provides cable TV service to the Village and Town of Palmyra, came forward to speak to the Board. Mr. Gray also introduced Dan Nofs, Assistant to the Vice-President in Charge of Operations for the parent Corporation and Andy Forand, Regional Manager for Wayne County Cablevision, Inc.. For the Board's information, Mr. Gray quickly reviewed the history of Cable TV Service in Palmyra - stating that Cable TV has been available since 1972 under various levels of certification. In 1977 Cablevision Industries bought the Cable TV Company serving this area and at that time an increase in rates was made. Since then Cablevision Industries have upgraded and improved all phases in order to provide better services, more services and a better quality of signal. Now, because of the large expenditures to improve and upgrade, the Company is asking for rate increases. Mr. Gray reviewed Exhibit "D", the comparison rate sheet, a part of the application for amendment, which listed the old rates and the new rates, except monthly rates. It was also noted that customers have the option of paying annually for the service which now gives them a discount rate 5% and would give them a 8½% discount if the amendment is approved. Town Attorney Paul Rubery advised that it should be noted for the record that the rate approved in the Franchise (\$9.50) has not yet been utilized. Customers are still paying \$8.50 permonth. Supervisor Lyon questioned Mr. Gray in regard to the rates for converters which will be needed in order for customers to receive some of the additional channels. Mr. Gray responded that there will be a 3 way option - (1) Most TV sets built in the last 2 years are termed "cable ready" and the new channels will be available without a converter (2) Converters can be purchased from Commercial or Electronics stores, and (3) a choice of 2 converters can be rented at a \$2.00 monthly rate from the Company - 1 will provide access to Cinemax. Mr. Lyon asked if there was anyone else who wished to speak in favor of or against this request, also, asked for comments from the Board. There being none, Mr. Lyon declared the hearing closed. Mr. Gray asked if they could have any indication as to when the Board would make a decision and Mr. Cook responded that he didn't expect the Board to decide until the October 8th meeting.

PUBLIC  
HEARING  
OPENED

CABLE  
TV AMEND-  
MENT TO  
FRANCHISE

HEARING  
CLOSED

At this time (7:45 P.M.), Supervisor Lyon called the regular meeting to order. Those present were led by Town Councilman Nelson Cook in the Pledge of Allegiance to the Flag.

REGULAR  
MEETING  
OPENED

Upon Roll Call, the following Town Officers were present: Supervisor David Lyon, Town Councilmen Nelson Cook and Andrew Baran. Town Councilmen Bruce Wideman and Edwin Wheeler were absent.

ROLL  
CALL

Others attending the meeting were Town Attorney Paul Rubery, Assessor/Zoning Officer Judson Roney, Chuck Lyons of the Courier-Journal and Mr. Countryman of Whitbeck Road.

At this time, Supervisor Lyon took a few moments to extend a welcome to our new Councilman Andrew Baran.

Following a review of the minutes of the August 27th Town Board meeting, a motion was made by Nelson Cook to dispense with the reading of and approve as submitted the minutes of August 27th. Motion was seconded by Andrew Baran and passed with 3 ayes.

APPR. OF  
MIN. 8/27

MOTION TO  
PAY BILLS

ABSTR. # 9

Following a review of Claims/Vouchers submitted for payment, a motion was made by Nelson Cook, seconded by Andrew Baran to approve payment of Vouchers shown on Abstract #9. Motion was carried with 3 ayes - A. Baran abstained on Voucher # 55 - Highway I. The Vouchers were listed by funds as follows:

## ABSTRACT # 9 -

|                      |                    |            |
|----------------------|--------------------|------------|
| GENERAL FUND         | Vouchers # 243-271 | \$ 4382.85 |
| PART TOWN FUND       | " # 51- 54         | 5107.84    |
| HIGHWAY ITEM I & IA  | " # 49- 57         | 19157.23   |
| HIGHWAY ITEM III     | " # 149-161        | 1582.45    |
| NORTH WATER DISTRICT | " # 21- 23         | 263.70     |
| SOUTH WATER DISTRICT | " # 24             | 17.79      |
| EAST WATER DISTRICT  | " # 25             | 24.15      |

TOTAL

\$30536.01

COMMUNICA-  
TIONS

## COMMUNICATIONS -

1. Letter from the Palmyra-Macedon Rotary Club re: Annual Auction
2. Letter from J. Kaufman re: an appeal to the Zoning Officer's decision
3. Letter from Paul Rubery re: New York Telephone vs. the Board of Assessors - Supervisor Lyon will check at the County level concerning this communication.
4. Letter from the New York State Office for the Aging re: change in regulations
5. Letter from the Palmyra Economic Development Corporation re: a request for funds
6. Copy of a letter to Paul Rubery from the Village of Palmyra re: Fire Contract. This communication will be referred to Committee # 4
7. Memo from James DePoint re: Master Meters
8. Memo from the Office for the Aging re: Symposium on September 30, 1981
9. Letter from Mr. & Mrs. Sadler re: water hook-up - Canandaigua Road
10. Letter from Jan Kem re: Newark Wastewater Facility Study
11. Notice of Application for Review of Assessment - ARP Development Corporation and Assessment information re: Towpath Manor
12. Letter from the Zoning Board of Appeals - recommendations for appointments to the Zoning Board of Appeals

REPORTS OF  
STANDING  
COMMITTEES

## REPORTS OF STANDING COMMITTEES-

Committee # 1 - David Lyon

COMM. # 1

- (1) Budget - There will be a Budget workshop following this meeting.
- (2) General Revenue Sharing Funds - the following Resolution was

offered:

MOTION NO.

Motion number:

1981 - 0077

Date: September 24, 1981

81-0077

Motion by:

David Lyon, seconded by Nelson Cook

Title:

Approval to advertise for Public Hearing on Proposed Use of General Revenue Sharing Funds

PUB. HRG.  
ON REV. SHAR.  
FUNDS

Resolved, that the Town Board of the Town of Palmyra grant approval to advertise for a Public Hearing to be held Thursday, October 15, 1981 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York to consider proposed uses for General Revenue Sharing Funds in the amount of \$42, 144. Motion passed with 3 ayes.

(3) Palmyra Economic Development Corporation - Referring to Communication #5, a request from the PEDC for additional funds, Mr. Lyon stated that he would like to table this request to a later date, preferably when a full Board is present.

(4) Cleason Equipment Company, Certiorari Action - this was on the agenda merely to bring to the Board's attention that John Nesbitt has been retained to represent the Town because of a possible conflict of Interest for Town Attorney Paul Rubery. Following a brief discussion, it was decided no

# AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE  
TOWN OF PALMYRA  
PLEASE TAKE NOTICE  
that pursuant to Highway  
Law, Section 205 (1) the  
Town Board of the Town of  
Palmyra, at their regular  
meeting held on Thursday  
September 24, 1981, has  
declared by resolution that  
East Town Line Road in the  
Town of Palmyra be  
designated as a Seasonal  
Limited Use Highway. Said  
highway will not be  
maintained and will be  
closed from November 15,  
1981 to April 15, 1982.  
Dated: September 22,  
1981.  
By order of the  
Town Board of the  
Town of Palmyra  
Betty D. ...  
Town Clerk  
(697)

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

Sept. 30, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of October 1981.  
*Judith A. MacDuff*  
Notary Public

Fee: \$ 7.63

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

further funds for Assessment litigation be expended until the Board has a quorum present.

71  
COMM #1  
CONT'D

(5) Appointments by Supervisor -

(a) Supervisor Lyon announced that he appointed Nelson Cook as Deputy Supervisor for the Town of Palmyra for the remainder of the year.

APPTS.  
BY SUPER.

(b) Mr. Lyon also, at this time, appointed Andrew Baran as Chairman of Committee # 2 and advised the Board that he was placing himself as Chairman of Committee # 1 for the remainder of the year.

Before continuing with Committee reports, Supervisor Lyon, at the request of Zoning Officer Judson Roney, agreed to hear a request of Harry Countryman, Whitebeck Road for approval to replace an existing trailer with a larger trailer. Mr. Roney informed the Board that a trailer home of the Countrymans burned, was replaced temporarily with a smaller trailer, and Mr. Countryman is now asking to replace the temporary home with a larger trailer. Following a brief discussion, the Board decided to request Mr. Roney to do some research on this request and to report his findings at the October 8th meeting, at which time the Board will make a decision.

H. COUNTRY-  
MAN RE-  
QUEST FOR  
TRL. REPL.

Committee # 2 - Andrew Baran

COMM. # 2

(1) Galloway Bridge - Town Attorney Paul Rubery advised the Board that a letter was sent accepting the \$1000 offer from Penn Central but no answer has been received as yet. Mr. Rubery also offered the background concerning this purchase to inform newly appointed Councilman Baran of the circumstances involved.

GALLOWAY  
BRIDGE

(2) East Townline Road - the following Resolution was offered for the Board's consideration:

E. TN. LINE  
ROAD

Motion number: 1981-0078

Date: September 24, 1981

MOTION NO.

Motion by: David Lyon, seconded by Nelson Cook

81-0078

Title: Seasonal Closing of East Townline Road

SEASONAL  
CLOSING  
OF E. TN.  
LINE RD.

Resolved, that pursuant to Highway Law Section - 205-a-1, the Town Board of the Town of Palmyra declares 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, 1981 to April 15, 1982.

Motion passed with 3 ayes.

(3) Request for Highway equipment - Mr. DeBrine approached the Board

REQUEST FOR  
BIDS

with a request to advertise for bids for equipment to complete the new truck - a material spreader and plow. The Board discussed what funds are available in the Highway accounts, the discussion also included monies used by the Highway Department at the Landfill which have to be transferred to restore funds in Highway Item III - Machinery Capital Reserve. The following Resolution was offered for the Board's consideration:

Motion number: 1981-0079

Date: September 24, 1981

MOTION NO.

Motion by: David Lyon, seconded by Nelson Cook

81-0079

Title: Approval to advertise for Bids (Highway)

APPR. TO  
ADV. FOR  
BIDS

Resolved, that the Town Board of the Town of Palmyra authorize the advertising for Sealed bids for a Material Spreader and Plow - bids to be opened on Thursday, October 8, 1981 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York.

Motion passed with 3 ayes.

(4) Bridge Posting - West Sh. Right of Way Bridge - The Board along with Town Highway Superintendent DeBrine and Town Attorney Paul Rubery discussed a 5 ton limit posting for the West Shore Right of Way Bridge at Galloway Road. Mr. DeBrine indicated that a suggestion had been received from Mr. Conroy and Mr. Edinger that the State post the South end and the Town post the

BRIDGE  
POSTING



72  
BRIDGE  
POSTING  
(CONT'D)

ST. SIGNING  
FOR E. PAL.  
SCHOOL

North end but Mr. Buby advised the Board to table any decision temporarily and not to participate until the Town takes title. Mr. DeBrine brought Town Councilman Baran up to date concerning the inspections of this bridge.

(5) Street Signing for School in East Palmyra - Mr. DeBrine informed the Board that he had talked with Mr. Provost and had advised him to submit a letter to the Board as a formal request for the Street signing for the new school.

REQUEST FOR  
NEW ST. SIGN

(6) Request for new Street sign at Rolfe Drive/Street- Councilman Cook informed the Board and Mr. DeBrine that he had received a request from residents on Rolfe Drive to have the street sign changed from Rolfe Drive to Rolfe Street.

COMM. # 3

Committee # 3 - Nelson Cook

WATER

(1) Water

MASTER  
METERS

(a) Master Meters - Mr. Cook advised the Board that Town Engineer Tony Malone has contacted the Badger Meter representative and was advised that the meters in the North and South Meter vaults will be replaced. The meter for the East Water District was also discussed.

CABLEVISION

MOTION TO  
TABLE DEC.  
TO 10/8

(2) Cablevision - Mr. Cook informed the Board that he would like to table the decision concerning the amendment to the Franchise to the October 8th meeting as he has been in touch with the Commission in Albany and may set up a meeting. A motion to table the decision in regard to the amendment to the Franchise with Wayne County Cablevision, Inc. to the October 8th Town Board meeting was offered by Nelson Cook, seconded by Andrew Baran and passed with 3 ayes.

REQUEST FOR  
WATER SERV.

(3) Request for Water Service - Referring to Communication # 9, the request for water service from Mr. & Mrs. Sadler, Canandaigua Road, Mr. Cook stated that he would like time to research this request before making a report and recommendations to the Board.

INFO. MTG.  
TN. WIDE  
WATER

MOTION TO  
FORM CITI.  
ZENS COMM.

(4) Informational meeting on TownWide Water Policy - Mr. Cook read a letter from Hershey-Malone Associates concerning the informational meeting held on September 10th. With the Board's approval, Mr. Cook indicated he would attempt to form a citizens committee to work on this project. A motion was offered by Nelson Cook, seconded by David Lyon to form a citizens committee to represent the Town for TownWide Water and to investigate the alternatives available for providing water to the residents in the Town of Palmyra. Motion passed with 3 ayes.

LANDFILL

(5) Landfill - The Board along with Town Highway Superintendent J. DeBrine discussed the need for a new cell at the Landfill.

COMM. # 4

Committee # 4 - Edwin Wheeler

In the absence of the Chairman of Committee #4, the Board acted on the following items of business:

BINGO

(1) Bingo - An application for a Bingo License has been received from the Loyal Order of Moose, Palmyra Lodge # 1420 and the following Resolution was offered.

MOTION NOT.

Motion number: 1981-0080 Date: September 24, 1981

81-0080

Motion by: David Lyon, seconded by Nelson Cook

BINGO LIC.  
MOOSE

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 from the Loyal Order of Moose, Palmyra Lodge # 1420. Motion passed with 3 ayes.

FIRE CONTR.  
W/VILLAGE OF  
PALMYRA

(2) Fire Contract with Village of Palmyra - Referring to Communication #6 concerning the renewal of a Fire Contract with the Village of Palmyra for Fire Protection in the Palmyra Fire Protection District, the Board dis-



discussed the need for a Public Hearing and the following Resolution was offered:

Motion number: 1981-0081

Date: September 24, 1981

MOTION NO.

Motion by: David Lyon, seconded by Nelson Cook

0081-81

Title: Approval to advertise for Public Hearing (Fire Contract)

APPR. TO ADV.

Resolved, that the Town Board of the Town of Palmyra approve the advertising for a Public Hearing on a Fire Contract between the Town of Palmyra and the Village of Palmyra for Fire Protection services in the Palmyra Fire Protection District - hearing to be held on Thursday, October 15th at 8:15 P.M. in the Town Office, 201 East Main Street, Palmyra, New York.

FOR PUBLIC

HEARING -

FIRE CONTR

Motion passed with 3 ayes.

(3) The Clerk advised the Board that a notice has been put in the Courier Journal and the Timesaver indicating that the Town of Palmyra is seeking a Dog Enumerator to do a census of the dogs in the Town of Palmyra - including the Village of Palmyra.

ADV. FOR  
DOG ENUMER.

COMM. # 5

Committee # 5 - Bruce Wideman

In Chairman Wideman's absence, the Board considered the following items of business under Committee # 5.

(1) Zoning Board of Appeals - Two appointments are necessary for the Zoning Board of Appeals - one for a term which will expire in October and one to fill the unexpired term of Harlin Tyler. The Board has received some recommendations from the Zoning Board of Appeals and the following Resolution was offered:

ZON. BD.  
OF APPEALS

Motion number: 1981-0082

Date: September 24, 1981

MOTION NO.

Motion by: Nelson Cook, seconded by David Lyon

0081-82

Title: Appointments to the Zoning Board of Appeals

Resolved, that the Town Board of the Town of Palmyra accept the recommendations of the Zoning Board of Appeals and re-appoint Nelson Claeyson to a 5 year term as a member of the Zoning Board of Appeals and appoint Robert Knapp as a member of the Zoning Board of Appeals to fill the unexpired term of Harlin Tyler.

APPTS. TO  
ZON. BD. OF  
APPEALS

Motion passed with 3 ayes.

(2) James Kaufman's Appeal to Zoning Officer's Decision - Mr. Kaufman's appeal to the Zoning Officer's decision on his application requires a Public Hearing and the following Resolution was offered:

KAUFMAN  
APPLIC.

Motion number: 1981-0083

Date: September 24, 1981

MOTION NO.

Motion by: David Lyon, seconded by Nelson Cook

0081-83

Title: Approval to advertise for Public Hearing (Kaufman)

APPR. TO

Resolved, that the Town Board of the Town of Palmyra approve the advertising for a Public Hearing to consider the appeal of James Kaufman to the Zoning Officer's decision on his application, hearing to be held Thursday, November 12th at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York.

ADV. FOR  
PUB. HRG.

Motion passed with 3 ayes.

(3) James Washburn Application - Zoning Officer J. Roney spoke to the Board concerning Mr. Washburn's application for a Mobile home on property on No. Creek Road stating that in 1979 Mr. Washburn was granted approval to place a Mobile home on property on No. Creek Road to be used as a residence while constructing a home. In 1980, Mr. Washburn was granted an extension and in 1981, due to a possible break-down in communications, no action was taken concerning this application. Mr. Roney stated that he followed up on it and Mr. Washburn again made application but has indicated that he will be able to do any construction due to financial reasons. In the meantime, Mr. Washburn has started a shed 21' x 60' to house a saw mill and to give him space for collecting antique machinery.

WASHBURN  
APPLICATION

At this time, Town Attorney Paul Rubery suggested that Zoning matters, other than the Countryman application, be deferred until the Chairman of Committee #5

is present. The following Resolution was offered:

MOTION NO. Motion number: 1981-0084 Date: September 24, 1981  
81-0084 Motion by: Nelson Cook, seconded by Andrew Baran  
DEFER ZON. Title: Defer Zoning Matters to October 8th Meeting  
MATTERS Resolved, that the Town Board of the Town of Palmyra defer Zoning matters to the October 8th meeting, notify the Chairman's Committee #5 of cases pending and request recommendations for these cases. The Supervisor will send a letter to Mr. Wideman.  
 Motion passed with 3 ayes.

At this time, the Board discussed the Town Board meetings to be held in October and the following Resolution was offered:

MOTION NO. Motion number: 1981-0085 Date: September 24, 1981  
81-0085 Motion by: David Lyon, seconded by Andrew Baran  
TN.BD. MKS. Title: Town Board meetings in October  
IN OCT. WHEREAS, the Town Board of the Town of Palmyra has been notified by the East Palmyra Fire Department that the Fire Hall will not be available for the regular scheduled October 8th Board meeting, and  
 WHEREAS, the Board has found it necessary to call for a Special Meeting on October 15th in order to hold 2 Public Hearings and to consider any other business which may properly come before the Board,  
 NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve and advertise the following changes in the October meeting schedule:  
 October 8, 1981 Town Office at 8:00 P.M.  
 October 15, 1981 Special Meeting in Town Office at 8:00 P.M.  
 October 22, 1981 East Palmyra Fire Hall at 8:00 P.M.  
 AND, BE IT FURTHER RESOLVED, that all regularly scheduled meetings hereafter will start at 8:00 P.M.  
 Motion passed with 3 ayes.

MOTION TO The motion to adjourn this meeting was made by Andrew Baran, seconded by  
ADJOURN Nelson Cook and passed with 3 ayes.

Respectfully submitted,

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

# AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, ss:  
County of Wayne.

**LEGAL NOTICE  
TOWN OF PALMYRA  
ADVERTISEMENT  
FOR BIDS**

Notice is hereby given that sealed bids are being sought for the furnishing according to specifications of the following equipment:

- 1 One (1) New 18" Hopper Type Sand - Soil Material Sizer
- 2 One (1) New 8' Cutting Width Heavy Duty One Way Squeegee

Sealed proposals will be received by the Town Clerk of the Town of Palmyra, 201 East Main Street, Palmyra, New York, until 2:00 P.M. October 2, 1981, at which time they will be publicly opened and read.

Specifications are available to any interested persons or bidders at the Office of the Town Clerk, 201 East Main St., Palmyra, N.Y. 14522.

The Town Board reserves the right to reject any or all bids submitted pursuant to this notice.

Dated: September 28, 1981.

By Order of the  
Town Board  
Town of Palmyra  
Betty B. Stubbins  
Town Clerk

(87) (19-30)

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. 30, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of October 1981.

*Judith A. MacDuff*  
Notary Public

Fee: \$ 11.90

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4739126  
Expiration Date March 30, 1983

# 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:

Sept. 30, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of October 1981.

*Judith A. MacDuff*  
Notary Public

Fee: \$ 13.42

JUDITH A. MACDUFF  
Notary Public for the  
State of New York, County of Wayne  
47-176  
Expiration Date March 30, 1983

LEGAL NOTICE  
NOTICE IS HEREBY  
GIVEN that at the regular  
meeting of the Town Board  
of the Town of Palmyra held  
on Thursday, September 24,  
1981, a Resolution was  
adopted approving the  
following changes in the  
meeting schedule of the  
Town Board:  
Thursday, October 8,  
1981 at 8:00 P.M. in the  
Town Office, 201 East Main  
Street, Palmyra, N.Y.  
(originally scheduled to be  
held in the East Palmyra  
Fire Hall)  
Thursday, October 15,  
1981 at 8:00 P.M. Special  
Meeting to be held in the  
Town Office, 201 East Main  
Street, Palmyra, N.Y. in  
order to hold 2 Public  
Hearings and to consider  
any other business which  
may properly come before  
the Board.  
Thursday, October 22,  
1981 at 8:00 P.M. in the East  
Palmyra Fire Hall  
(originally scheduled to be  
held in the Town Office).  
NOTICE IS ALSO GIVEN  
that all regularly scheduled  
meetings hereafter will  
start at 8:00 P.M.  
Dated September 28,  
1981.  
By Order of the  
Town Board of the  
Town of Palmyra  
Garry A. Stubbings  
Town Clerk  
(870) (9-30)

October 8, 1981

75

The Public Hearing scheduled by the Town Board of the Town of Palmyra to OPENING OF  
receive Sealed Bids for the furnishing, according to specifications of the fol- SEALED BIDS  
lowing equipment (1) One (1) new 13' Hopper type Sand-Salt Material Spreader (2) HWY. EQUIP.  
One (1) New 9' Cutting Width Heavy Duty One-way Snow Flow, was opened by Super-  
visor Lyon at 8:00 P.M. on Thursday, October 8, 1981 in the Town Office, 201 East  
Main Street, Palmyra, New York. The Proof of Publication was read by the Clerk.  
The following Sealed Bids were publicly opened and read:

- (1) P-D Service, Inc., Rochester, New York  
1 - New HL-Way Material Spreader - Model E - 2020 - 13'  
Net Bid Price - \$448200.00
- (2) Mike & Joe Equipment Company, Inc., Rochester, New York  
(1) Tarco Highlander Material Spreader - Model HL-HY2P - 13'  
Net Bid Price - \$3797.26  
1 - Frink Model 650SQK High Speed One Way Flow  
Total Net Bid Price - \$3018.00
- (3) Seneca Supply & Equipment Company, Inc., Ithaca, New York  
1 - New 1981 Henderson Chief Material Spreader Model PS-H13  
Total delivered price \$4500.00
- (4) Walter M. Roberts Enterprises, Inc., Victor, New York  
1 - New Tenco 9' High Speed One Way Snow Flow - Model TC - 96  
Total Net Bid Price \$2626.00
- (5) CynCon Equipment, Inc., W. Henrietta, New York  
1 - AirFlo AF24-D 13' Material Spreader  
Total Bid Price - \$4550.00  
1 - Viking Model 135HSE9 One Way Snow Flow  
Total Bid Price - \$2932.00

BIDS CLOSED

At 8:10 P.M., Supervisor Lyon declared the bids closed.

Supervisor Lyon opened the regular meeting of the Town Board of the Town of REG. MTG.  
Palmyra and Town Councilman Edwin Wheeler led those present in the Pledge of Al- OPENED  
legiance to the Flag.

Upon Roll Call, the following Town Officers were present: Supervisor David ROLL CALL  
Lyon, Town Councilmen Andrew Baran, Bruce Wideman and Edwin Wheeler.

Others attending the meeting were Judson Roney, James DeBrine, Charles Rich-  
ardson and Chuck Lyons.

Following a review of the minutes of the Special meeting held on September MOTION TO  
19, 1981, a motion was made by Edwin Wheeler, seconded by Andrew Baran that the APPR. MIN.  
minutes of September 19th be approved as submitted. Motion passed with 4 ayes. 9/19

Following a review of Claims submitted for payment, a motion was made by MOTION TO  
Edwin Wheeler, seconded by Bruce Wideman that the Vouchers listed on Abstract PAY CLAIMS  
#9A and #10 be approved for payment. Motion passed with 3 ayes - David Lyon ab-  
stained. The Vouchers were listed by Funds as follows:

ABSTRACT # 9A

ABSTR.#9A

|                      |                      |             |
|----------------------|----------------------|-------------|
| GENERAL FUND         | Vouchers # 272 - 275 | \$10,498.87 |
| PART TOWN FUND       | " # 55 - 56          | 357.28      |
| HIGHWAY ITEM I & IA  | " # 58 - 59          | 529.50      |
| NORTH WATER DISTRICT | " # 24 - 25          | 140.51      |
| SOUTH WATER DISTRICT | " # 25 - 26          | 67.99       |
| EAST WATER DISTRICT  | " # - 27             | 18.13       |
| TOTAL                |                      | \$11612.28  |

ABSTRACT # 10

ABSTR.#10

|                |                      |            |
|----------------|----------------------|------------|
| GENERAL FUND   | Vouchers # 276 - 297 | \$14427.22 |
| PART TOWN FUND | " # 57 - 60          | 628.43     |



76  
ABSTR. # 10  
CONT'D

|                         |            |            |            |
|-------------------------|------------|------------|------------|
| HIGHWAY ITEM I & IA     | Vouchers # | 60 - 61AB  | 6949.05    |
| HIGHWAY ITEM III        | "          | # 162 -169 | 5377.11    |
| EAST WATER DISTRICT     | "          | # 28       | 25.58      |
| FEDERAL REVENUE SHARING | "          | # 6 - 7    | 727.32     |
| TOTAL                   |            |            | \$28134.71 |

COMMUNICATIONS

Communications:

- (1) Application for position of Dog Enumerator
- (2) Memos - One from Helen Kehrre re: Evaluation of NYS Dog Law  
One concerning Notice of 1982 Seminars (Dog Control)
- (3) Letter from NYS Dept. of Health re: North Water District Meter Vault
- (4) Letter from NYS Dept. of Transportation re: Weight limits & Galloway Bridge
- (5) Letter from E. H. Bedette re: Appointment of Voting Machine Custodian.

REPORTS OF COMMITTEES  
COMM. # 1  
COUNTRYMAN

Reports of Standing Committees:

Committee # 5 - Bruce Wideman

- (1) Harry Countryman - Application for Trailer Replacement

For the Board's information, Mr. Wideman stated that on May 8, 1979 a Trailer 12' x 60', Countryman's residence, burned and was replaced temporarily with a smaller (12x35) Trailer. Mr. Countryman now requests approval to replace the temporary trailer with a trailer the same size as the original 12x60. Mr. Roney reported to the Board that he had checked with the Town Attorney as he had been requested to do and no problem was found. The following Resolution was offered for the Board's consideration.

MOTION NO.  
1981-0085A  
APPR. TO REPL. TRL.

Motion number: 1981 - 0085A Date: October 8, 1981

Motion by: Bruce Wideman, seconded by Edwin Wheeler

Title: Approval to replace trailer (Countryman)

Resolved, that the Town Board of the Town of Palmyra accept Mr. Wideman's recommendation that Mr. Countryman be allowed to replace the temporary trailer with a trailer 12'x60'.

Motion passed with 4 ayes.

Mr. Countryman questioned the Board on what he should do if he can't get a 12x60 trailer and has to take a larger one and was informed that he would have to come back before the Board for approval.

- (2) James Washburn - Application to extend use of trailer

WASHBURN

Mr. Roney again informed the Board of the background on this application (see minutes of September 24th). He also advised the Board that Mr. Washburn expects to take 3 years to construct a house because of the financial situation but, at this time, there is the trailer, plus a barn on the property, and Mr. Washburn is in the process of building a "shed" 21x60 of rough cut lumber to house a sawmill and antique machinery. The following Resolution was offered:

MOTION NO.  
1981-0086  
REFER TO COMM.

Motion number: 1981 - 0086 Date: October 8, 1981

Motion by: Bruce Wideman, seconded by Edwin Wheeler

Resolved, that the application of James Washburn to extend use of a trailer be referred to Committee for analysis. A report will be made at the October 22nd meeting.

Motion passed with 4 ayes.

- (3) Gordon Wheeler Application - the background on this application

G. WHEELER

was again reviewed by both Mr. Wideman and Mr. Roney. There have been several violations issued to Mr. Wheeler and nothing has been corrected. The following Resolution was offered:

Motion number: 1981 - 0087 Date: October 8, 1981 MOTION NO.  
 Motion by: Bruce Wideman, seconded by Edwin Wheeler 1981-0087  
 Title: Decision to Prosecute under Mobile Home Ordinance (Wheeler)  
 Resolved, that the Town Board of the Town of Palmyra accept Mr. Wideman's recommendation that the Town proceed to prosecute Mr. Wheeler as allowed under the Mobile Home Ordinance and the fine shall commence October 1, 1981. DEC. TO PROSECUTE (WHEELER)  
 Motion passed with 4 ayes.

(4) Brian Havert Application - Mr. Roney stated that Mr. Havert has made application for a Building Permit to build an apartment on an existing Collision Shop located on Canandaigua Road in the Town of Palmyra. Mr. Roney has informed the applicant, who intends to operate a Mechanical Repair Shop at this location, that he has to apply for a Variance to operate the Repair Shop, but, Mr. Havert and his attorney have questioned the need for a Variance and have stated that Mr. Havert has a State License. Mr. Strobbridge requested time to speak to the Board but was unable to attend this meeting. No action was taken at this time. Supervisor Lyon suggested that a letter be sent to Mr. Havert and his attorney. HAVERT APPLIC.

At 8:40 P.M., Town Councilman Nelson Cook joined the meeting.

(5) Eugene Shiels, Maple Avenue - Mr. Roney brought to the Board's attention that Mr. Shiels has not renewed his Building Permit for construction of a house on Maple Avenue - the house has been under construction for a number of years. The Board advised Mr. Roney to contact Mr. Shiels and notify him of the Necessity and importance of filing a renewal. SHIELS - BLDG. PERM.

(6) Re-vision of Zoning Ordinance - Mr. Wideman stated that he anticipates before he leaves office in December that this project will be quite a ways along and he indicated that the Planning Board is looking at the Re-vision. Following are some comments made by a number of persons in regard to this proposed Re-vision: RE-VISION OF ZON. ORD.

Town Councilman Bruce Wideman - I want to make a comment on this - Well, let me say this, I don't really think one individual should be charged with the responsibility of coming up with a Zoning Ordinance which affects the lives of 4 thousand people. I think we should have some input from our Planning Board and I am really a little bit reluctant to have people think that Bruce Wideman should come up with a total re-vision of the Zoning Ordinance by himself. I think, first of all, it's asking a little too much, and, second of all, I don't think it's good sound reasoning but I will do my best to have something for the Board before I leave office with or without any input from anyone. COMMENTS RE ZON. ORD.

Supervisor David Lyon - I don't think it was that intention, Bruce. At least, I didn't understand it that way - I think it was intended for you to shepherd the thing to keep it going and if we do have a question on the Planning Board, if it takes a Board resolution from here, I think we ought to, because the way as I understood it - basically, the Planning Board comes up with a Proposed Zoning Ordinance to give to this Board and this Board reviews it, maybe makes changes, works in conjunction with the Planning Board to come up with a final Ordinance. The question now is whether or not they (Planning Board) are working on it.  
 Zoning Officer Judson Roney - It was my understanding that the Planning Board was under the impression that Mr. Wideman intended to appear before their Board to explain to them the wishes of the Town Board and they didn't get any word so were at a loss as to just what was expected of them.

Town Councilman Bruce Wideman - That's sad, that 5 people that are supposedly members of the Planning Board and they are put there for a reason - I know, when I was on the Planning Board, again, I was stuck back then with working with it -

COMMENTS  
RE: ZON ORD  
CONT'D

we did put a lot of time on it. I'll have a talk with the Chairman of the Planning Board because I think, if this Board recalls, it was about a year and a half ago, we wrote a letter to the Planning Board asking them to submit their recommendations for any revisions in the Proposed Zoning Ordinance that we have been working on for the last 8 years and I have seen nothing on that. And, I don't think I'm going to go out of office with this monkey on my back - it will be solved.

Town Councilman Edwin Wheeler - I think this goes back to your late brother's term - he had 90% of this Ordinance rewritten, at least when I came on this Board - Isn't that true?

Discussion continued in regard to resolving this problem and Mr. Richardson of the Palmyra Economic Development Corporation also made the following statement:

Charles Richardson - I'd like to make a comment, I wish, Bruce, if you're working on it and the Planning Board is working on it, that the recommendations for the parcels of property which we outlined last year (Nov. 1980), then again in Feb. 1981 with the different Town meetings we had, inviting the Village and Town Boards, the Planning Boards and Zoning Boards to identify 4 pieces of property in the Town and 4 in the Village, I'd like to have you take these in consideration as you're re-vamping the Zoning Ordinance because 2 of them are possible problem areas--the Town Board should have copies of the maps outlining these areas which we are interested in.

Town Councilman Bruce Wideman - We spent a great deal of time on that, Chuck, I don't really see a problem there - we will consider it, however, in the new Ordinance.

COMM. # 4  
DOGS

Committee # 4 - Edwin Wheeler

(1) Dogs - The Board advertised for a Dog Enumerator to do the census of dogs for 1982 and received one application - Communication # 1. The following Resolution was offered:

MOTION NO.  
1981-0088  
APPT. OF  
DOG ENUMER.

Motion number: 1981 - 0088 Date: October 8, 1981  
 Motion by: Edwin Wheeler, seconded by Andrew Baran  
 Title: Appointment of Dog Enumerator  
 Resolved, that the Town Board of the Town of Palmyra appoint Tim Wilbur as Dog Enumerator for the Town of Palmyra - salary will be at \$.50 per dog plus mileage expense.  
 Motion passed with 5 ayes.

FIRE CONTR.

(2) Fire Contract - The Board discussed briefly the Fire Contract with the Village of Palmyra, the subject of a Public Hearing to be held Thursday, October 15th.

ELECTIONS

(3) Elections - Communication # 5 concerning the need for a replacement for one of the Voting Machine Custodians was discussed by the Board. The two persons who are eligible to fill the vacancy will be contacted.

COMM # 3

Committee # 3 - Nelson Cook

(1) Cablevision - Mr. Cook reported that he had done some investigation in surrounding areas in regard to Cablevision and then offered the following Resolution:

MOTION NO.  
1981-0089

Motion number: 1981 - 0089 Date: October 8, 1981  
 Motion by: Nelson Cook, seconded by Edwin Wheeler  
 Title: Decision on Amendment to Franchise (Wayne Co. Cablevision, Inc.)  
 Resolved, that the Town Board of the Town of Palmyra accept Mr. Cook's recommendation that the Town Board approve the entering into an agreement for an Amendment to the Franchise between the Town of Palmyra and Wayne County Cable-

DEC. ON  
AMEND TO  
CABLE TV  
FRANCHISE

vision, Inc. (Amendment on file with the Franchise)

Discussion - Supervisor Lyon opened the floor for discussion on this motion and asked if there was anyone who wished to speak. Following are the comments made concerning this request for an amendment to the Cablevision Franchise:

Town Councilman Edwin Wheeler - Right, for the last 2 nights they've been out of service which is the 3rd time they've been out of service since they came in to ask for a rate increase. I heard Salzburg was out. I don't think we're getting very good service to begin with and why they're justified in having an increase - you know, usually, when you buy something with quantity you get a quantity discount. They're charging more if you have 3 (appearances) than, proportionately, if you have one because they're raising up from \$1.00 to \$1.75 which is a 75% increase for each appearance - is that right? Talking about the initial outlets, usually when you buy something quantity-wise, you save money, like if Jim buys 20 thousand tons of salt, he gets it cheaper than, usually at a rate than 10 thousand tons - (Several people "No, not so") I think the percentages of these increases are outrageous.

DISC. &amp;

COMMENTS

Supervisor Lyon - Would one of you gentlemen address the Councilman's question as far as service lately?

Dan Nofs - The services - First of all, generally, we track a lot of our service calls and Andy Forand can probably enumerate on what the specific causes are but the majority of our service calls, when the system does go out, is due to loss of power - an uncontrollable factor as far as the cable system is concerned. The Cable Company relies upon the Rochester Gas & Electric - excuse me - New York State Electric & Gas for their power. With that gone the system, since it is an alternate series, which is the way the technology is made for the Cable TV, if the power goes off in one segment, it loses it in the rest of the chain. We try to resume our -----

Town Councilman Wheeler - Do you have emergency generators or anything that automatically kicks in and solves this problem like other public services, institutions have?

Dan Nofs - We have generators if the service is going to be off a prolonged period of time, Yes - to bring it back on. Normally, the outages are not of that length of time - to establish it, to set it back up, you've already taken up the time.

Town Councilman Wheeler - What's a prolonged time?

Dan Nofs - We've used it when it's been out more than 6 - 7 hours.

Town Councilman Wheeler - 6 - 7 hours? We might better have an antenna. Dan Nofs referred this question to Andy Forand for the reasons for the specific problems on the most recent loss of service.

Andy Forand - The outage yesterday - that's the most recent one.

Town Councilman Wheeler - Most recent one was tonight.

Andy Forand - Tonight?

Town Councilman Wheeler - Yeah! Palmyra was out tonight, just before I came to this meeting - I don't know whether it's been restored by the time I got here or not.

Andy Forand - I don't know about that one - tonight, but, I know yesterday ---

Town Councilman Wheeler - You're in charge of service? I'm not trying to pick on you personally, but, service - this is your responsibility and you're not aware that ----

Andy Forand - I don't fix it - No - Ok, to give you ---

Town Councilman Wheeler - You know, you call the 800 number and ask for the manager, right?

Dan Nofs - Right now, myself, I'm the Assistant Director of Operations of the Company. Andy Forand is the Regional Manager - OK? And, also, with us is Merrill Gray who is the Manager of the Geneva and will be of the Wayne County system.

Town Councilman Wheeler - So - you guys are here - that's why I didn't get it fixed.

Dan Nofs - No - technical people are out there, chief technician, all the technicians are out in the field. The best thing I can do is to tell you that we try to respond quickly to our service calls. We follow the guide lines as far as the State Cable TV Commission is concerned. On talking about refunds or outages -

when you base it upon the cost of refunding a subscriber for a couple of hours, let's say you're going to give a refund back that amounts to 25 cents - by the time you go thru the cost of mailing it - going thru the computer billing, the subscriber who ultimately is paying for all the service in paying for the billing, paying for everything, would have an increased total cost by refunding maybe a 2 hour or

3 hour outage. The State has set up a limit - anything in excess of 24 hours, the Company will refund back to the subscriber.

Town Councilman Wheeler - I don't think you have enough emergency equipment - in other words, you don't have any generators or anything that you can go in for 6 -

7 hours of prime time, prime time is what people are buying and you aren't equipped to give us the proper service in Cable TV. That's what I'm saying!

Dan or Andy - We have -----



DISC &  
COMMENTS  
CONT'a

Town Councilman Wheeler - And, yet you want a rate increase and the other part of the deal is that I read somewhere recently in the paper - I'm not sure it was your Company - whereby you say you're going to add a splitter and some more channels if we give you the authority to raise the rates, or, if we don't, why those things will not be done. Rather than proving an improvement of service prior to getting the rate increase, which would be one way to properly sell the service, you're putting the cart before the horse as far as I'm concerned. You say, if you give us the money, we will do this - but, why don't you prove what you're going to do, then come after the money.

Dan Nofs - Oh, we explained that, to be specific, to the Board of the Village of Victor. After the 2 weeks, but the specific item is services; there is additional cost for those services, the subscriber is bearing the cost for those services on a 1st subscriber basis - when you put those services on, the subscriber is paying for them. The Company is incurring costs, then incurred costs have to correspond with an increased cost in rates. If it's costing more for vital service, whether it provides signals or provides service to repair, whatever, some one has to be paying for that, the subscriber is paying for service, we try to keep it as minimal as possible and that's why we ask that, you know, the dollar rate of increase correspond with the service.

Town Councilman Wheeler - The dollar rate increase on the basic service is to cover the 4 additional channels - Right?

Dan Nofs - Part of it -

Town Councilman Wheeler - Part of it. Now what's the other part?

Dan Nofs - Increased operating expenses - vehicles, gas, etc.

Town Councilman Wheeler - You mean the dollar is covering that.

Dan Nofs - It's covering ----

Town Councilman Wheeler - Now, what's the 75 cents covering?

Dan Nofs - That's also ---

Town Councilman Wheeler - It's already there - you haven't a thing you have to do with those outlets.

Dan Nofs - There is a percentage that we know are going to take additional outlets and the total cost - holding the rates where they're at. There are rates that are much, much higher than Wayne County Cablevision. Lockport is an example, and Lancaster, outside of Buffalo, which are fairly large sized communities, for the same services as Wayne County Cablevision is providing, we're talking \$9.50 and for those in Lockport and Lancaster it's \$11.00. Example - Installation charges there are about \$30.00. So - there are different rates and we try to be very competitive as far as the subscriber is concerned - to give them the very best possible services for the least amount of money.

Town Councilman Wheeler - That's all the questions I have, Mr. Supervisor.

Supervisor Lyon - Any other discussion?

Town Councilman Wideman - Call the Question.

The motion to approve the Amendment to the Franchise between the Wayne County Cablevision, Inc. and the Town of Palmyra was passed with 4 ayes - Mr. Wheeler voted no.

The documents were left to be completed with the Supervisor's signature and the Town Seal. Comments continued as follows:

Town Councilman Wheeler - Mr. Supervisor, I think I read in the paper when the Village approved this, they were presented with a check for the amount of monies due them. With us, are there remittances - as far as -

Supervisor Lyon - I don't know - I don't see any check. I believe - Nelson, can you check? Are they current as for their - that was one of the questions at the original hearing we had - Your firm is current?

Andy Forand - If I can have your permission to answer Mr. Wheeler - I learned today from our Corporate headquarters that a 30 thousand KW - a 30 KW, 30 thousand Watt generator has been approved for our tower site which is why - yesterday we lost power on Snake Road which killed our entire tower site which killed all our signals going to Sodus, to Geneva, Canandaigua, so the generator was approved. I was made aware of it today.

Town Councilman Wheeler - One that will come on in less than 6 or 7 hours?

Andy Forand - Oh, this is automatic, it will be instantaneous.

Town Councilman Wheeler - Like the hospitals have?

Andy Forand - Exactly.

Town Councilman Wheeler - When will that be on stream - Before the Series?

Andy Forand - After we have the building to house the generator.

COM # 3

Committee # 3 continued -

(2) Water

WATER

TOWN WIDE

WATER POLICY

(a) Town Wide Water Policy - Mr. Cook reported that he hasn't as yet completed the citizens committee for the Town Wide Water Study. Hershey - Malone Associates will be sending the Town a break-down on their quote - what



they could do for the Town in regard to a Town or Part Town Water System.

(b) Master Meters - Mr. Cook informed the Board that he has talked with Hershey - Malone Associates and it was reported to him that they are trying to get a confirmation and get squared away on the Master Meters. MASTER METERS

(3) Landfill - Mr. Cook indicated a new cell is needed and he will have some information at the next meeting. The Town will have to move on this before Winter. LANDFILL

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

Motion number: 1981 - 0090 Date: October 8, 1981 MOTION NO.  
 Motion by: Nelson Cook, seconded by Edwin Wheeler 1981-0090  
 Title: Approval to Transfer Funds (Traxcavator) TRANS. OF FUNDS  
TRAXCAVATOR  
 WHEREAS, the Town Board of the Town of Palmyra approved the use of \$5000 from the Capital Funds - Machinery Reserve for purchase of 1970-951 Caterpillar Traxcavator and  
 WHEREAS, a resolution was passed on March 26, 1981 - Motion No. 1981-0024 to transfer these funds from Capital Funds-Machinery Reserve to Highway III along with other funds to purchase said traxcavator and  
 WHEREAS, the Capital Funds-Machinery Reserve must be reimbursed in the amount of \$5000 as this was not a proper charge against the Capital Funds-Machinery Reserve, and  
 NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds of \$5000 from General Fund-Landfill Account No. A8160.4 to Highway III Machinery Fund, and  
 THEREFORE BE IT FURTHER RESOLVED, that the transfer of funds in the amount of \$5000 from Highway III-Machinery Fund then be transferred to the Capital Funds- Machinery Reserve.

Motion passed with 5 ayes.

Committee # 2 - Andrew Baran COMM. # 2

(1) Decision on Bids for Spreader and Plow MOTION NO.

Motion number: 1981 - 0091 Date: October 8, 1981 1981-0091  
 Motion by: Andrew Baran, seconded by Edwin Wheeler DEC. TO REFER BIDS TO COMM.  
 Title: Decision to Refer Bids to Committee  
 Resolved, that the Town Board of the Town of Palmyra accept Mr. Baran's recommendation to refer the bids received for a Material Spreader and Plow to committee for study and recommendations to the Board.  
 Motion passed with 5 ayes.

(2) Galloway Bridge - West Shore, Penn Central GALLOWAY BRIDGE

Supervisor Lyon requested information from Town Attorney Rubery in regard to correspondence on the possible acquisition of property. Mr. Rubery stated that he has received a reply indicating a time table for October 22nd and he has written and asked for more time. Brief discussion followed.

Committee # 1 - David Lyon COMM. # 1

(1) Buildings - the following Resolution was offered:

Motion number: 1981 - 0092 Date: October 8, 1981 MOTION NO.  
 Motion by: David Lyon, seconded by Nelson Cook 1981-0092  
 Title: Approval to Transfer Funds (Buildings) TRANS. FUNDS  
 Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from the Contingency Account A1990.4 in the amount of \$339.36 to Buildings - Contractual Expenses, Account A1620.4 as there are insufficient funds in Buildings-Contractual Expenses Account A1620.4. CONTING. TO BLDGS.  
 Motion passed with 5 ayes.

(2) Budget - the following Resolution in regard to hearings was offered for the Board's consideration:

Motion number: 1981 - 0093 Date: October 8, 1981 BUDGET  
 Motion by: David Lyon, seconded by Edwin Wheeler MOTION NO.  
 Title: Approval to Advertise for Public Hearings 1981-0093  
PUB. HRGS.

82

MOTION NO.

1981-0093

CONT'D

Resolved, that the Town Board of the Town of Palmyra grant approval to advertise for the following hearings:

(1) Public Hearing on Actual Use of General Revenue Sharing Funds to be held Thursday, November 5, 1981 at 8:00 P.M. in the Town Office.

(2) Public Hearing on Preliminary Budget to be held Thursday, November 5, 1981 at 8:15 P.M. in the Town Office.

Motion passed with 5 ayes.

DISC. RE:

PEDC FUNDS

At this time, Charles Richardson came before the Board to clarify the requests for funds made to the Town by the Palmyra Economic Development Corporation. He informed the Board that the PEDC has received funds from the Village of Palmyra which will take care of their needs for the present. The PEDC would like both the Village and the Town to set aside monies (\$15,000) which could be available, if needed, to help with the on-going work of bringing jobs to our community. Mr. Richardson spoke of a meeting in Rochester of the State Economic Development Corporation which he attended and he reported to the Board on the information gained at that meeting. The Board assured Mr. Richardson that consideration would be given requests from the PEDC. Discussion also included timetables for requests, differences in Fiscal years and the need for an Annual Report or Financial Report to accompany requests for funds.

ENERGY AUDIT

The Board discussed briefly the Energy Audits which can be done by the New York State Electric & Gas Corporation and the New York State Energy Office.

OCT. MTGS.

Supervisor Lyon reminded those present of the meeting October 15th in the Town Office when 2 Public Hearings will be held, and the meeting on October 22nd to be held at the Fire Hall in East Palmyra.

Town Highway Superintendent DeBrine came forward at this time to discuss some items with the Board. The first item was the digging of the new cell at the Landfill. He also stated that he hoped to have the recommendations on the bids ready for the next meeting - October 15th. Mr. Lyon spoke in regard to a meeting, which is to be held in Williamson on October 9th - subject is Landfill problems and he hoped someone could attend.

EXEC.  
SESSION

At this time, the Board adjourned to go into executive session to discuss some legalities concerning property assessments.

The meeting resumed with the following Resolution being offered for the Board's consideration:

MOTION NO.

1981-0094

Motion number: 1981 - 0094 Date: October 8, 1981

Motion by: Nelson Cook, seconded by Andrew Baran

PROP. APPRAIS.

( ARP DEV. )

Title: Authorization for Property Appraisal ( ARP Development )  
Resolved, that the Town Board of the Town of Palmyra authorize the appraisal of the ARP Development Corporation property.

Motion passed with 4 ayes.

The Board also discussed the \$200 Rent Allowance which has been paid to the 2 Veterans' organizations in Palmyra in the past and the following Resolution was offered:

MOTION NO.

1981-0095

TRANS. FUNDS

& PAYMENT

TO VETS

ORGANIZ.

Motion number: 1981 - 0095 Date: October 8, 1981

Motion by: Edwin Wheeler, seconded by David Lyon

Title: Approval of Payment to Veterans' Organizations & Transfer of Funds

Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from the Contingency Account A 1990.4 in the amount of \$400 to the Veterans Services - Contractual Expenses Account A 6510.4, and

BE it further resolved, that the Town Board of the Town of Palmyra approve payment of \$200 each to the American Legion and V.F.W. Post per Section 64 of the Town Law and same be paid upon the filing of the proper papers.

Motion passed with 4 ayes.

# 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. 30, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of October 1981

*Judith A. MacDuff*  
Notary Public

Fee: \$ 9.76

JUDITH A. MacDUFF  
Notary Public for the  
State of New York County of Wayne  
4755126  
Expiration Date March 30, 1983

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 in the Town Office,  
201 East Main Street,  
Palmyra, New York at 8:00  
P.M. on Thursday, October  
15, 1981 on the Proposed  
General Revenue Sharing  
Funds for the calendar year  
1982 estimated to be in the  
amount of \$42,144 with  
planned use for im-  
provements to the Town's  
physical facilities.  
All interested persons  
will be given the opportunity  
to be heard.  
Dated: September 28,  
1981  
By order  
of the Town Board  
of the Town of Palmyra  
Betty B. Stubbings,  
Town Clerk  
(368) (9-30)

# 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 the  
Town Office, 201 East Main  
Street, Palmyra, New York  
on Thursday, October 15,  
1981, at 8:15 P.M. for the  
purpose of considering  
entering into a new contract  
between the Village of  
Palmyra and the Town of  
Palmyra for Fire Protection  
in the Palmyra Fire  
Protection District.  
Such contract shall  
provide for the payment to  
the Village of Palmyra of the  
sum of \$22,000 for the year  
1982 and the sum of \$22,000  
for the year 1983 from the  
funds of such fire protec-  
tion district. The said  
payment to be made during  
January 1982 and January  
1983 or after the execution  
of such contract by both  
parties.  
In all other respects the  
contract shall contain the  
same general provisions as  
the existing contract.  
All persons interested in  
this matter will be heard at  
such time and place.  
Dated: September 28,  
1981.  
By order of  
the Town Board  
of the Town of Palmyra  
Cathy B. Stubbings  
Town Clerk  
(888) 19 301

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

Sept. 30, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of October 1981.

*Judith A. MacDuff*  
Notary Public

Fee: \$14.03

JUDITH A. MACDUFF  
Notary Public for the  
State of New York, County of Wayne  
47-126  
Expiration Date March 30, 1983



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

83  
MOTION TO  
ADJOURN

Respectfully submitted,

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

PUBLIC HEARINGS

October 15, 1981

The Public Hearing scheduled by the Town Board of the Town of Palmyra to be held in the Town Office, 201 East Main Street, Palmyra, New York at 8:00 P.M. on Thursday, October 15, 1981 on the Proposed General Revenue Sharing Funds for the calendar year 1982, estimated to be in the amount of \$42,144 with planned use for improvements to the Town's physical facilities, was opened by Supervisor David Lyon.

PUBLIC  
HEARING  
GEN. REV.  
SHAR. FUND  
(PROP. USE)

The Proof of Publication was read by the Clerk.

Supervisor Lyon asked if there was anyone present who wished to speak concerning these Funds and how they might be used. Mrs. Shilagh Maxwell and Mrs. Cornelia Schade, representing the Palmyra Kings Daughters Free Library, came before the Board at this time with a request for funds to purchase a Microfilm Reader and printer which would replace a piece of antique equipment. Both Mrs. Maxwell and Mrs. Schade spoke of the need for this equipment. Much of the Library's material, in particular, the files of the Courier-Journal, are on microfilm and without the new reader-printer the available material can't be used to best advantage. There is a State Contract price of \$3,050 which will hold until February 28, 1982. Discussion on this request included - make of equipment, service (maintenance), guarantee, use of equipment, charge for use of this equipment, benefits to be gained. When asked by the Board if the Village of Palmyra was helping with this project, the representatives responded that the Village has helped with some present renovation and has allotted funds toward the Library's long term renovation plan. The Library's Renovation Plan was also discussed.

REF. FROM  
LIBRARY

There being no other persons who wished to speak on the use of the General Revenue Sharing Funds for 1982, Supervisor Lyon declared the hearing closed at 8:15 P.M..

HEARING  
CLOSED

The Public Hearing scheduled by the Town Board of the Town of Palmyra to be held in the Town Office, 201 East Main Street, Palmyra, New York on Thursday, October 15, 1981 at 8:15 P.M. for the purpose of considering entering into a new Contract between the Village of Palmyra and the Town of Palmyra for Fire Protection in the Palmyra Fire Protection District was opened by Supervisor David Lyon.

PUBLIC  
HEARING  
OPENED

FIRE CONT  
W/ V. OF  
PALMYRA

The Proof of Publication was read by the Clerk and stated that such contract shall provide for the payment to the Village of Palmyra of the sum of \$22,000 for the year 1982 and the sum of \$23,000 for the year 1983 from the funds of such Fire Protection District.

Supervisor Lyon asked if there was anyone present who wished to speak in favor of or against this proposed contract for Fire Protection. Harry White, Fire Commissioner representing the Village of Palmyra, came forward at this time and stated he was present to answer any questions the Board might have. Mr. White stated that he felt the proposed contract was within reason as there was less than a 5% increase over the present contract which called for \$21,000 for 1981. He also provided facts concerning the comparison of the amount of taxable property in the Village and taxable property in the Town of Palmyra Fire Protection District. Assessor

PUBLIC  
HEARINGON PROP.  
FIRE CONTR.CONT'D

Judson Roney also provided some facts in regard to taxable property in the Village and the Town protected by the Palmyra Fire Company. Discussion followed and included such items as - cost of apparatus and cost of equipment (coats, boots, brush fire tools, etc.), operating costs, insurance rates and how they are determined, length of service for equipment, ambulance service, specialized equipment, what new equipment is needed for future and the most important part - the volunteer help which makes the Fire Protection possible. In summing up, Mr. White stated that the taxpayers in the Palmyra Fire Protection District are getting more in return for their money spent for Fire Protection - a paid Fire Department would be "out of reach".

HEARING  
CLOSED

There being no one else who wished to speak in favor of or against this proposed contract, the hearing was closed at 8:50 P.M. by Supervisor Lyon.

SPECIAL MEETING

October 15, 1981

SPECIAL  
MEETING  
OPENED

The Special Meeting of the Town Board of the Town of Palmyra was called to order by Supervisor David Lyon who also led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor Lyon, Town Councilman Edwin Wheeler, Nelson Cook and Andrew Baran. Others attending were Town Highway Superintendent James DeBrine, Assessor Judson Roney and Chuck Lyons, of the Courier-Journal.

REPORTS OF  
COMMITTEES

Reports of Standing Committees -

COMM. # 2

Committee # 2 - Andrew Baran

BIDS FOR  
HWY. EQUIP

(1) Bids for the new Spreader and Plow - Both Councilman Baran and Mr. DeBrine reviewed the bids received for a new Spreader and Plow and made their recommendations to the Board. The following Resolutions were offered for the Board's consideration:

MOTION NO.

Motion number: 1981 - 0096 Date: October 15, 1981

1981-0096

Motion by: Andrew Baran, seconded by Nelson Cook

Title: Bid Award for Plow

BID AWARD  
TO GYNCON  
FOR PLOW

Resolved, that the Town Board of the Town of Palmyra accept the Committee's recommendation and award the bid for a new Plow to Gyncon Equipment, Inc. 6800 W. Henrietta Rd., W. Henrietta, N.Y. - 1 (one) new Viking Model 135 HSE9 heavy duty 9' cutting width one way snow plow with mountings for Frink equipped plow truck push frame. Net Bid Price - \$2932.00.

Motion passed with 4 ayes.

MOTION NO.

Motion number: 1981 - 0097 Date: October 15, 1981

1981-0097

Motion by: Andrew Baran, seconded by Nelson Cook

Title: Bid Award for Spreader

BID AWARD TO  
MIKE & JOE  
FOR  
MAT. SPDR.

Resolved, that the Town Board of the Town of Palmyra accept the Committee's recommendation and award the bid for a new Material Spreader to Mike and Joe Equipment Co., Inc., 1240 Jefferson Rd., Rochester, N.Y. - 1 (one) New Tarrant Model HL-HY2P13 13' dump body slide-in sand salt material spreader: 8 yd. cap., Saratoga power pack, 4 section deflectors, inverted V, body hold downs, oil filter, hoses and quick disconnect fittings to LH rear of truck frame, to be delivered the first week in November 1981 - Price - \$3797.26.

Motion passed with 4 ayes.

COMM. # 3

Committee # 3 - Nelson Cook

LANDFILL

(1) Landfill - Mr. Cook and Mr. DeBrine again spoke to the Board concerning a new cell to be dug at the Landfill. This was discussed at length and the following Resolutions were offered for the Board's consideration:

Motion number: 1981 - 0098 Date: October 15, 1981  
 Motion by: Nelson Cook, seconded by Edwin Wheeler  
 Title: Approval to Rent Equipment

MOTION NO.  
 1981-0098

Resolved, that the Town Board of the Town of Palmyra approve the expenditure of \$3200 maximum for rental of a Back-hoe (Shovel) to dig a new cell at the Landfill.  
 Motion passed with 4 ayes.

APPR. TO  
 RENT EQUIP

Motion number: 1981 - 0099 Date: October 15, 1981  
 Motion by: Nelson Cook, seconded by Edwin Wheeler  
 Title: Approval to Rent Equipment

MOTION NO.  
 1981-0099

Resolved, that the Town Board of the Town of Palmyra approve expenditure of \$1000 maximum for rental of a Loader to be used at the Landfill during the process of digging the new cell.  
 Motion passed with 4 ayes.

APPR. TO  
 RENT EQUIP

Motion number: 1981 - 0100 Date: October 15, 1981  
 Motion by: Nelson Cook, seconded by Andrew Baran  
 Title: Approval to Rent Low-boy

MOTION NO.  
 1981-0100

Resolved, that the Town Board of the Town of Palmyra approve the expenditure of \$300 maximum to rent a Low-boy for the transporting of the Back-hoe (Shovel) to the Landfill site.  
 Motion passed with 4 ayes.

APPR. TO  
 RENT LOW-  
 BOY

At this time, the Board returned to the subject of the first Public Hearing held earlier in the evening on General Revenue Sharing Funds. This hearing was on Proposed use of these funds and on November 5th there will be a hearing on the Actual use of the funds. The Board discussed how these funds should be allocated and the following Resolution was offered to provide information for the posting of the Public Hearing.

GEN. REV.  
 SHAR. FUNDS

Motion number: 1981 - 0101 Date: October 15, 1981  
 Motion by: Edwin Wheeler, seconded by Andrew Baran  
 Title: Allocation of General Revenue Sharing Funds - 1982  
 Resolved, that the Town Board of the Town of Palmyra allocate the Actual use of General Revenue Sharing Funds for 1982 as follows:

MOTION NO.  
 1981-0101

ALLOC. OF  
 REV. SHAR.

|                                            |          |
|--------------------------------------------|----------|
| Palmyra Community Center --                | \$16,500 |
| Palmyra Kings Daughters Free Library       | 3,050    |
| Machinery Capital Reserve                  | 8,000    |
| Improvements to Town's Physical Facilities | 14,594   |
| Total                                      | \$42,144 |

Motion passed with 4 ayes.

The motion to adjourn was made 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

October 22, 1981

MEETING  
OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, October 22, 1981 at 8:00 P.M. in the East Palmyra Fire Hall, East Palmyra, New York was called to order by Supervisor David Lyon.

Those present were led by Town Councilman Andrew Baran in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor David Lyon, Town Councilmen Nelson Cook, Edwin Wheeler and Andrew Baran. Bruce Wideman was absent.

Others attending this meeting were: Mr. & Mrs. James Washburn, Roy Wilck, Mr. & Mrs. William Guest, Duane Hobbs, Frank Gorall, Gene Woodard, Pete Burn, Mr. & Mrs. James Milliman, Brion Havert, Lyman Kaller, Chuck Lyons, Barbara DeLue, Donald DeLue, Judson Roney, Charlene Lyon, Maurice Strobbridge, Paul Rubery, and Ralph Stubbings.

MOTION TO  
APPR. MIN.  
OF 9/24

Following a review of the minutes, a motion was made by Nelson Cook, seconded by Andrew Baran to dispense with the reading of and approve as submitted the minutes of September 24, 1981. Motion passed with 4 ayes.

MOTION TO  
PAY BILLS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Andrew Baran, seconded by Nelson Cook to approve payment of Vouchers as shown on Abstract # 10A. Motion passed with 4 ayes. The Vouchers were listed by Funds as follows:

ABSTR. #10AABSTRACT # 10 A -

|                      |                      |            |
|----------------------|----------------------|------------|
| GENERAL FUND         | Vouchers # 298 - 311 | \$ 1969.11 |
| PART TOWN FUND       | " # 60A - 61         | 81.75      |
| HIGHWAY ITEM I & IA  | " # 62 - 65          | 5161.36    |
| HIGHWAY ITEM III     | " # 170 - 172        | 361.52     |
| HIGHWAY ITEM IV      | " # 29 - 31ABC       | 7452.11    |
| NORTH WATER DISTRICT | " # 26               | 4582.14    |
| SOUTH WATER DISTRICT | " # 27               | 2181.03    |
| EAST WATER DISTRICT  | " # 29               | 825.73     |
| TOTAL                |                      | \$22614.75 |

COMMUNICATIONS - the following communications were presented to the Board for their review:

COMMUNI-  
TIONS

1. Copy of letter to Paul Rubery re: Property at Galloway Bridge
2. Letter to Supervisor Lyon from Sheriff's Dept. re: Community Services
3. Letter to Supervisor from Dept. of Transportation re: Abandoned Railroad Property - Penn Central
4. Copy of letter from Hershey-Malone Assoc. to Dept. of Health re: Meter Vault - North Water District
5. Letter to Supervisor from DEC re: Solid Waste Management Facility Permit Renewal
6. Letter to Supervisor from PEDC re: Open House for Proven Designs
7. Memo to Town of Palmyra from the Village re: Use of Park & Club Rooms
8. Letter from J. DePoint, Village Trustee re: Master Meter Vaults
9. Letter to Paul Rubery from The Penn Central Corp. re: Property at Galloway Bridge
10. Letter to Town Board from Assessor Roney re: Gas Seepage in Assessor's Office
11. Memo from the Village of Palmyra re: Town Highway Items III & IV

REPORTS OF STANDING COMMITTEES -REPORTS OF  
COMM.

Committee # 1 - David Lyon

COMM. # 1

(1) Refuse Collection for Town Office - Mr. Lyon reported that the Town Office had received 2 bids for the refuse collection at the Town Office (1) Campbell & Hubright Disposal, Inc. at \$5.00 per month and (2) Wright's Disposal Service at \$6.00 per month. The following Resolution was offered for the Board's consideration:



Motion number: 1981 - 0102 Date: October 22, 1981

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Bid Award for Refuse Collection (Town Office)

Resolved, that the Town Board of the Town of Palmyra accept the low bid, made by Campbell & Hubright Disposal, Inc., of \$5.00 permonth for refuse collection at the Town Office.

Motion passed with 4 ayes.

MOTION NO.

1981-0102

OFFICE

REFUSE  
PICK-UP

BUDGET

(2) Budget - Supervisor Lyon informed those present that the Budget was down to the final preparation, reflecting a very minor increase in both the Town and Village rates as it stands now. He stated that the Board spent a lot of time and work to keep it pared down. Mr. Lyon also reminded everyone that the Public Hearing on the Preliminary Budget was scheduled for Thursday, November 5th.

(3) Gas Seepage in Assessor's Office (Communication # 10) - Mr. Lyon reported that the Assessor had discussed the problem of the gas leak with him, that he had been in the office, was aware of the problem and felt the Board should approve the work needed to correct this gas leak.

GAS LEAK

Motion number: 1981 - 0103 Date: October 22, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Repair of Heating System in Assessor's Office

Resolved, that Mr. Francis Rush be employed to replace the transite exhaust stack for the room heater in the Assessor's front room office, and to make such other adjustments to the heating system as is necessary to minimize the seepage of gas fumes; cost not to exceed \$250, and the work to be completed by 30 November 1981. Motion passed with 4 ayes.

MOTION NO.

1981-0103

HTC. SYS.

ASSESS.

OFFICE

(4) Wayne County Sheriff's Office - Community Services (Communication # 2). Referring to this letter, read as a part of Communications, Mr. Lyon asked for comments from those present concerning, in particular, the Neighborhood Watch, and he indicated that if enough interest was shown he would be willing to set up a meeting. Both Frank Gorall and Peter Burm responded and stated they thought it would be a good idea to hold a meeting and to get more information on how this type of service could benefit the East Palmyra area. Mr. Lyon agreed to contact the Sheriff's Department to get started with this project.

SHERIFF'S

OFFICE

COMM. SERV.

(5) Preferential Acquisition Rights to Abandoned Railroad Property - (Communication # 3). This Communication was discussed briefly and Mr. Lyon read a letter responding to the above mentioned communication indicating that it would be the hope of the Town of Palmyra to exercise it's preferential right as the map furnished reflects that a portion of the premises to be sold encompasses parts of the Town Highway known variously as Quaker Road or Walton Road.

PREF. RGT.

R.R. PROJ.

Committee # 2 - Andrew Baran

COMM. #2

(1) Galloway Road Bridge Project - Supervisor Lyon reviewed the background of this Bridge project and stated that communications and proposals to solve this problem are in process. This is to be a combined Town and County project and Mr. Lyon has checked with both the Highway Chairman of the Board of Supervisors and County Highway Superintendent Richard Vanderlinde. Discussion followed.

GALLOWAY

BRIDGE

PROJECT

Committee # 3 - Nelson Cook

COMM. #3-

M. METER

VAULTS

(1) Master Meter Vaults - Mr. Cook reported that he has talked with Hershey-Malone Associates who have been in contact with the meter company. The Town Attorney is also involved in solving this problem. Supervisor Lyon requested Town Councilman Cook to make a reply to Village Trustee James DePoint (Communication # 8). Mr. Cook responded that he had met with Mr. Depoint on Wednesday, October 21st and they had discussed this problem along with other matters.

(2) Landfill - Mr. Cook reported that the new cell will be started Fri-

LANDFILL

LANDFILLDISC!CONT'D

day, October 23rd. General discussion followed covering such points as: Transfer Stations, County-wide Landfill, State regulations and the possibility of getting local permits extended, meeting on Landfills at Williamson which Town Highway Superintendent DeBrine attended and cost of installing the monitoring wells.

Mr. Cook wished to set the record straight concerning the expected usage of the Landfill and stated that within the time span of 1½ - 3 years, the Town of Palmyra will be looking for a new Landfill site. Supervisor Lyon spoke of the possibility of a County site in Arcadia and the alternative of trucking the refuse to a larger facility. Town Councilman Wheeler predicted that there will be no more Town Landfills, there will be County Landfills or re-cycling plants.

Mr. Cook returned to some points in regard to Water. He stated that in the discussion with Mr. DePoint, they also talked about the Contract with the Village for Water. He also informed the Board and those present that he expects to have the Citizens Committee on Town Wide Water set by November 1st.

WATERCONTR. W/VILLAGE

Committee # 4 - Edwin Wheeler

COMM. #4DOGS

(1) Dogs - Mr. Wheeler reported that the Dog Census is coming along good - the Enumerator has found a few dogs who have escaped the Clerk's Office and it was reported that Tim Wilbur, the Enumerator, was present at the Wayne County Rabies Clinic where he was able to obtain a lot of information for the Census.

FIRE CONTR.

(2) Contract with the Village of Palmyra for Fire Protection - deferred to a later date.

ELECTIONDIST. #1 &# 2

(3) Election - Mr. Wheeler reported that the Town has been advised that the Village Hall will not be available for Election Districts #1 and # 2 on Election Day, November 3, 1981 due to the renovation of the Village Hall. It is the Town's responsibility to find Polling Places. The Board, as well as some persons attending the meeting, discussed this matter taking into consideration the confusion which will result. Mr. Wheeler stated that there are places available ( the Town Office and Presbyterian Church are possibilities) and the Wayne County Board of Elections can get a mailing out to all registered voters in Election Districts 1 & 2 notifying each voter of the change. Discussion continued with Supervisor Lyon expressing concern for the elderly people and Ralph Stubbings suggesting the Board consider the use of churches and the Town Office in the future for Election Districts. The following Resolution was offered for the Board's consideration.

MOTION NO.

1981-0104

RELOCATIONOF ELECT.DIST. #1 &" #2

Motion number: 1981 - 0104 October 22, 1981  
 Motion by: Edwin Wheeler, seconded by Andrew Baran  
 Title: Re-location of Election Districts # 1 & # 2  
 Resolved, that the Town Board of the Town of Palmyra allow the Town Clerk to make the necessary arrangements to change the location of Election District # 1 from the Village Hall (West side) to the Fellowship Hall of the Western Presbyterian Church, 101 East Main Street, Palmyra, New York and Election District # 2 from the Village Hall (East side ) to the Palmyra Town Office, 201 East Main Street, Palmyra, New York, and  
 Be It Further Resolved, that these arrangements be made with the view of making permanent changes in the Election Districts.  
 Motion passed with 4 ayes.

COMM. # 5WASHBURN

Committee # 5 - Bruce Wideman In Mr. Wideman's absence, Supervisor Lyon handled the matters under Committee # 5.

(1) Application of James Washburn - the decision on the application of James Washburn to renew a Mobile Home permit for 1 year, deferred from the last meeting, was brought before the Board for action at this time. The Board dis-

cussed this matter and the following Resolution was offered:

Motion number: 1981-0105 October 22, 1981

MOTION NO.

Motion by: David Lyon, seconded by Nelson Cook

1981-0105

Title: Approval to Renew Mobile Home Permit (Washburn)

Resolved, that the Town Board of the Town of Palmyra approve the application of James Washburn to renew his Mobile Home Permit for one (1) year - the year started February 1, 1981 and will run to February 1, 1982, at which time Mr. Washburn will apply for renewal again, if necessary. Motion passed with 4 ayes.

(2) Brion Havert - Former Russell Collision Shop, Canandaigua Road, Palmyra - Application for Building Permit deferred from October 8th meeting. Mr. Havert made application for a Building Permit to build an apartment on an existing collision shop where he intends to operate a mechanical repair shop and was informed by Zoning Officer Roney that before the Building Permit can be issued, he had to apply for a Variance to operate the repair shop. Mr. Havert and his attorney questioned the need for a Variance and at the October 8th meeting, it was reported that Mr. Strobbridge requested time to speak to the Board but was unable to attend that meeting. At this time, Mr. Strobbridge spoke to the Board concerning Mr. Havert's application. He stated that, at the time Mr. Havert was interested in purchasing the former collision shop a letter was requested in regard to the permitted use. A letter dated 12/18/80 written by Mr. Roney was interpreted as allowing the operation of an auto repair shop. A lengthy discussion followed with Mr. Strobbridge speaking on behalf of his client, Mr. Roney speaking in regard to his interpretation of the Zoning Regulations and the Board members referring to Mr. Rubery for legal advice. The point was made that, in this question of permitted use the Town Board does not have the decision - the Zoning Board of Appeals does. The discussion ended with the Board requesting Mr. Rubery and Mr. Strobbridge to get together to work out a solution.

Supervisor Lyon asked if anyone had anything to bring before the Board before closing the meeting and Judson Roney, Assessor made the following statement:

"Today I saw the current weekly issue of the newspaper with letters from everybody on many subjects, especially on the revaluation. I would like it to go into the public record that the Town Board was never asked for their approval of the revaluation - they never granted their approval of the revaluation. It is under Town Law, I believe Mr. Rubery will back me up, that it is the Assessor's responsibility to decide when inequality exists in the Assessment Roll and it is the Assessor's responsibility to correct major inequality and that is what I was doing this year. I did not do it because somebody told me to do it and I did not come to the Republican Board here to ask their approval. I do try to work with the Board but I'm an independent agent and I wish it would be noted in the paper that the Republicans who are up for re-election had no responsibility in this Revaluation."

STATEMENT  
BY ASSESSOR

Mr. Lyon stated that too many believe that if Assessments rise, taxes do also, but that is a misconception. The Assessment per se has nothing to do with the amount of taxes raised by the Town.

Gene Woodard, speaking on behalf of the American Legion, asked to direct a question to Mr. Rubery in regard to the Veterans' Real Property exemption. He indicated that about a year ago, Mr. Kaempfe was to send a letter concerning this inequality in Assessment. Mr. Rubery responded that he has contacted both Mr. Talomie and Mr. Kehoe concerning this matter and Mr. Woodard requested that a letter of clarification be sent to the American Legion.

REQUEST  
FROM AMER  
LEGION RE  
VET. EXEM

Mr. Rubery reminded the Board that at the last meeting the Board approved an appraisal of the ARP Corporation property as he received a high estimate from Midland Appraisers. Mr. Rubery suggested that a Preliminary appraisal be done. The following Resolution was offered:

Motion number: 1981 - 0106 October 22, 1981

APPRAISAL  
OF ARP  
PROPERTY

Motion by: Edwin Wheeler, seconded by Nelson Cook

MOTION NO.  
1981-0106

Title: Approval for Preliminary Appraisal (ARP Corp)

90

MOTION NO.

1981-0106

ARP APPRAISAL

Resolved, that the Town Board of the Town of Palmyra approve a Preliminary Appraisal on the ARP Corporation property for legal purposes - cost to be from \$150 - \$300.

Motion passed with 4 ayes.

MOTION TO

ADJOURN

The motion to adjourn this meeting was offered 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, } ss:  
County of Wayne, }

LEGAL NOTICE  
TOWN OF PALMYRA  
NOTICE OF  
PUBLIC HEARING  
UPON  
PRELIMINARY BUDGET  
NOTICE IS HEREBY  
GIVEN that the Preliminary  
Budget for the Town of  
Palmyra for the fiscal year  
beginning January 1, 1982  
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 in-  
terested 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 Town Office,  
201 East Main Street,  
Palmyra, New York at 8:15  
P.M. on the 5th day of  
November 1981 and that at  
such hearing any person  
may be heard in favor of or  
against the Preliminary  
Budget as compiled or for  
or against any item or items  
therein contained.  
Pursuant to Section 108  
of the Town Law, the  
proposed salaries of the  
following Town Officers are  
hereby specified as follows:  
Supervisor \$8800 Town  
Justices (each) \$4400  
Town Councilmen (each)  
\$1200 Town Clerk \$8100  
Superintendent of High  
ways \$20,000 Tax  
Collector \$2100 Budget  
Officer \$500  
Dated October 28, 1981

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

October 28, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 29th day of October 1981  
*Judith A. MacDuff*  
Notary Public

Fee: \$16.98

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.

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. 21, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 23rd day of October, 1981.

*Judith A. MacDuff*  
Notary Public

Fee: \$12.20

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4738126  
Expiration Date March 30, 1983

LEGAL NOTICE  
TOWN OF PALMYRA  
NOTICE OF  
PUBLIC HEARING ON  
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 8:00 P.M. on Thursday,  
November 5, 1981, on the  
Actual Use of any General  
Revenue Sharing Funds for  
the calendar year 1982.  
General Revenue Sharing  
Funds are estimated to be  
in the amount of \$42,744 for  
the year 1982 with budgeted  
use of \$16,500 for the  
Palmyra Community  
Center, \$3,050 for the  
Palmyra Kings Daughters  
Free Library and \$8,000 for  
the Machinery Capital  
Reserve Fund. The balance of  
approximately \$27,244 for  
improvements to the  
Town's physical facilities.  
All interested persons  
will be given the opportunity  
to be heard.  
Dated October 18, 1981  
By Order of the  
Town Board of  
the Town of Palmyra  
Betty B. Stubbings  
Town Clerk  
(631)

November 5, 1981

The Public Hearing scheduled for 8:00 P.M. on Thursday, November 5, 1981 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 1982 estimated to be in the amount of \$42,144 with budgeted use of \$16,500 for the Palmyra Community Center, \$3,050 for the Palmyra Kings Daughters Free Library and \$8,000 for the Machinery Capital Reserve Fund, the balance of approximately \$14,594 for improvements to the Town's physical facilities was opened by Supervisor Lyon. The Proof of Publication was read by the Clerk.

No one appeared before the Board to speak in favor of or against the Actual Use of these General Revenue Sharing Funds.

Supervisor Lyon declared the hearing closed at 8:05 P.M.

November 5, 1981

The Public Hearing scheduled for 8:15 P.M. on Thursday, November 5, 1981 in the Town Office, 201 East Main Street, Palmyra, New York for the purpose of reviewing the Preliminary Budget for 1982 and hearing any person or persons in favor of or against the Budget as compiled was opened by Supervisor Lyon. The Proof of Publication was read by the Clerk.

There being no one who appeared to speak in favor of or against the Preliminary Budget of the Town of Palmyra for 1982, the hearing was declared closed.

Respectfully submitted,

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

November 12, 1981

PUBLIC  
HEARINGOPENEDKAUFMAN  
APPEAL

The Public Hearing scheduled to be held on Thursday, November 12, 1981 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York to consider an appeal from the decision of the Zoning Officer/Building Inspector of the Town of Palmyra for refusal to grant a Building Permit to James Kaufman, 129 South Avenue, Newark, New York for the erection of an A-Frame building on his property off of Hydesville Road in the Town of Palmyra was opened by Supervisor David Lyon. The Proof of Publication was read by the Clerk.

Persons attending the hearing were: C. Lyons, Bill Tatro, Mr. & Mrs. Kaufman, Mr. & Mrs. Trask, Donald Sinclair and Larry Mooney.

Mr. Lyon asked if there was anyone present who wished to speak in favor of this appeal and, at this time, Mr. James Kaufman, owner of the property off Hydesville Road came forward to address the Board. He referred to letters (1) dated July 1, 1981 from Judson Roney to James Kaufman and (2) dated July 8, 1981 to Mr. Roney from Mr. Kaufman - both letters are on file with Mr. Kaufman's application. Several points in Mr. Roney's letter were protested by Mr. Kaufman. He stated that in March of 1981 he received a Notice of Assessment increasing the assessment from \$10,700 to \$72,000 on the property in question which is 38 acres of wetland and woods. Mr. Kaufman continued - stating that he met with Mr. Roney in his office in Palmyra, informed Mr. Roney that he didn't realize a Building Permit was necessary, the A-frame (approximately 20' x 28') was built by a friend and was not intended as a residence, still is not a residence, it's situated in the middle of 38 acres, set on cinder blocks, has no foundation, was built without his knowledge at an approximate cost of \$2400. He informed the Board that he filled out an application for a Building Permit and when Mr. Roney indicated that he wished to see the property, Mr. Kaufman drove out, showed Mr. Roney the property which has no plumbing, water, electric - no facilities. It is for recreation only, his residence is at 129 South Avenue in Newark. The building is essentially a shelter to house equipment - chain saws - feed - a farm out-building. Mr. Roney, at that time, felt the application for Building Permit should go before the Planning Board - there it was approved and Mr. Kaufman stated he expected the Building Permit to be issued but received a letter from Mr. Roney indicating the structure wouldn't fit into the code - it was not a permanent structure, not a residence - could be construed as a farm out-building as easily as a shelter. So, Mr. Kaufman submitted a new application, changing the title from shelter for camping to description of Agriculture out-building in order to comply with the Town of Palmyra Statute. Mr. Roney again refused to grant the Building Permit. Several months went by - then Mr. Kaufman received a letter from Mr. Roney - a long, detailed, objectionable letter in Mr. Kaufman's opinion, which, in essence, questioned why he spent so much money on an Agriculture out-building - what was the real intent. So, Mr. Kaufman responded by letter in detail, correcting the letter, stating he didn't believe what Mr. Roney thought were judgements of inconsistencies, were, in fact, inconsistencies at all. Mr. Kaufman stated in the letter that from the beginning the building was not a permanent structure, he didn't intend to live in it, but did intend to be out "on my North Forty" as he has for the last 10 years - playing with his family - that's what he goes there for. Mr. Kaufman advised the Board that at the time he had some road work done, he also had a well. At this time, Mr. Kaufman respectfully asked the Board to approve the Building Permit because he couldn't see what would be a logical reason not to approve the Building Permit - the fact that Mr. Roney sees this more as a Residence in character than Agriculture in character, to Mr. Kaufman, is not relevant.

# **AFFIDAVIT OF PUBLICATION**

STATE OF NEW YORK, ss:  
County of Wayne.

NOTICE OF PUBLIC HEARING  
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Palmyra will hold a public hearing on Thursday, November 12, 1981 at 8:00 A.M. in the Town Office, 201 East Main Street, Palmyra, New York to consider an appeal from the decision of the Zoning Enforcement Officer, Building Inspector of the Town of Palmyra, for refusal to grant a building permit to James J. Kaufman, 129 South Avenue, Newark, New York for the erection of a new two-story building on the property of the 1100 South Road in the Town of Palmyra. The said Town Board will also consider any other business that may come before it.  
Dated: October 22, 1981  
By Order of the Town Board of the Town of Palmyra  
John J. Kaufman  
Town Clerk

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

October 28, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 29th day of October, 1981

*Judith A. MacDuff*  
Notary Public

Fee: \$11.90

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



Mr. William Tatro who owns a farm (112 acres) on Hydesville Road came before the Board to explain that the access road to the A-frame goes thru his property, he is responsible for the access road and he stated that winter access is almost impossible. Mr. Tatro's opinion was that the A-frame is a camp in the woods.

There was no one who appeared to speak in opposition to this appeal and Supervisor Lyon declared the hearing closed.

The regular meeting of the Town Board of the Town of Palmyra was called to order at 8:18 P.M. by Supervisor Lyon who also led those present in the Pledge of Allegiance to the Flag.

Upon Roll Call, the following Town Officers were present: Supervisor David Lyon, Town Councilmen Edwin Wheeler, Nelson Cook and Andrew Baran. Bruce Wideman was absent.

Following a review of the minutes presented 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 October 8, 1981. Motion passed with 4 ayes.

The Claims/Vouchers submitted for payment were reviewed and a motion was made by Nelson Cook, seconded by Edwin Wheeler 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 # 10B -

|                      |                   |                  |
|----------------------|-------------------|------------------|
| GENERAL FUND         | Vouchers #312-313 | \$ 5077.90       |
| HIGHWAY ITEM I & IA  | " # 66            | 250.43           |
| HIGHWAY ITEM IV      | " # 32            | 250.43           |
| NORTH WATER DISTRICT | " # 27- 28        | 26.35            |
| TOTAL                |                   | <u>\$5605.11</u> |

#### ABSTRACT # 11 -

|                         |                   |                   |
|-------------------------|-------------------|-------------------|
| GENERAL FUND            | Vouchers #314-378 | \$12240.59        |
| PART TOWN FUND          | " # 62- 63        | 203.65            |
| FEDERAL REVENUE SHARING | " # 8- 9          | 29.91             |
| HIGHWAY ITEM I & IA     | " # 67- 70        | 1661.43           |
| HIGHWAY ITEM III        | " #173-189        | 8448.14           |
| HIGHWAY ITEM IV         | " # 33- 34        | 6362.48           |
| SOUTH WATER DISTRICT    | " # 28            | 16.05             |
| EAST WATER DISTRICT     | " # 30            | 17.49             |
| TOTAL                   |                   | <u>\$28979.74</u> |

#### COMMUNICATIONS -

1. Copy of letter to P. Kehoe from P. Rubery re: Veteran's Exemption
2. Letter from DEC re: East Water District- referred to Town Engineer
3. Memo from J. DeBrine re: R.R. property (Quaker Road area)
4. &
5. Communications re: Master meters
6. Letter from Association of Towns re: Dues, Annual Meeting and General Revenue Sharing
7. Memo from CCFL re: Energy Audit for Town Office & Town Barns
8. Letter from B. Briggs re: request for reimbursement of expenses for attending Zoning Conference
9. Letter from Larsen Engineers re: CHIPS Program
10. Letter from East Palmyra Church re: Street & School signing-referred to Hwy. Comm.
11. Letter of resignation from Bruce Wideman
12. Letter from Skip Bailey re: WHIP Program - Block Grant funds

#### REPORTS OF STANDING COMMITTEES -

Committee # 1 - David Lyon

(1) Budget

Motion number - 1981 - 0107

Date: November 12, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Adoption of 1982 Budget

Resolved, that the Town Board of the Town of Palmyra adopt the 1982 Budget for the Town of Palmyra as presented at the Public Hearing held on November 5, 1981.

Under discussion, Mr. Lyon noted that no one showed up for the Public Hearing,

PUB. HRC.

CONT'D

HEARING

CLOSED

MEETING

OPENED

ROLL

CALL

MOTION

TO APPR.

MIN. OF

OCT. 8th

MOTION

TO APPR.

PAYMENT

OF BILLS

ABSTR.

10B & 11

COMMUNICA-  
TIONS

REPORTS  
OF COMM.

COMM. #1

MOTION NO

1981-0107

1982

BUDGET

BUDGET  
CONT'D

therefore, there were no comments. Mr. Wheeler questioned if the request from the Village of Palmyra for exemption from Highway Items III & IV was read at the hearing and was informed that it had been read as a communication at the October 22nd Town Board meeting. Following further discussion, the motion passed with 3 ayes, 1 no. Town Councilman Edwin Wheeler voted no.

ASSESSMENT

(2) Assessment - The Board considered a request from Judson Roney, Assessor, to attend a Seminar in Rochester on Friday, November 13th.

MOTION NO.  
1981-0108

Motion number: 1981-0108 Date: November 12, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Approval to attend Seminar

APPR. TO

Resolved, that the Town Board of the Town of Palmyra approve the request of Judson Roney, Assessor, to attend a Seminar in Rochester on Friday, November 13th

ATTEND

with reimbursement by the Town for expenses incurred.

SEMINAR

Motion passed with 4 ayes.

COMM. #2

Committee # 2 - Andrew Baran

ABANDONEDR.R.PROP.

(1) Abandoned Railroad Property - Quaker Road area - Town Highway Superintendent James DeBrine, referring to his Memo read as Communication # 3, discussed with the Board the advantages to acquiring some of this abandoned Railroad property. Assessor Judson Roney informed the Board that his office had received a phone call from the Penn Central Company requesting the Tax Account number. Town Attorney Paul Rubery reported that he had sent a letter to Penn Central as requested. Mr. Rubery advised the Board to pass a Resolution concerning these Preferential rights.

Motion number: 1981-0109 Date: November 12, 1981

MOTION NO.  
1981-0109

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Decision to Exercise Preferential Rights

Resolved, that the Town Board of the Town of Palmyra exercise its Preferential Rights to acquire some abandoned Railroad property (West Shore - Right of Way- Quaker Road area).

Motion passed with 4 ayes.

HWY.EQUIP.

(2) Highway Equipment - Mr. DeBrine reported that the new equipment, the plow and material spreader, has arrived, is mounted and in place, and ready to go when needed.

REQUEST FOR  
ST. & SCHOOL  
SIGNING

(3) Request for Street and School signing - Referring to his memo, a part of Communication # 10, Mr. DeBrine reported to the Board that the Town can erect a Black/Yellow symbol School sign but if a Speed Zone is desired, a petition has to be submitted to the Board for referral to proper authorities. The Board and Mr. DeBrine discussed the requirements needed before some school signs can be considered. A letter will be sent to Pastor Vlaardingerbroek in regard to the procedure for a Speed Zone. The 2nd and 3rd items in the letter (not the Town's jurisdiction) will be referred to Jon Edinger, New York State Department of Transportation. Town Attorney Paul Rubery advised that the Wayne County Traffic Safety Board should be notified of the school on East Palmyra-Port Gibson Road.

COMM. #3

Committee # 3 - Nelson Cook

LANDFILLMOTION NO.  
1981-0110

(1) Landfill - Mr. Cook reported that the new cell at the Landfill has been completed. He asked that the Board consider the following Resolution:

Motion number: 1981-0110 Date: November 12, 1981

Motion by: Nelson Cook, seconded by Edwin Wheeler

Title: Approval to Pay Back-Hoe Operator

APPR. TO  
PAY OPER.

Resolved, that the Town Board of the Town of Palmyra approve payment, not to exceed \$1204.00, for the operator of the Back-hoe used in the digging of the cell at the Landfill.

Motion passed with 4 ayes.

Mr. Cook reported that he contacted David Matthews of Hershey-Malone Associates and made him aware of the DEC Landfill Permit due April 1, 1982, and requested him to proceed with the necessary requirements for this Permit.

(2) Water - The problems with the meter vaults are still being resolved. There was some discussion on the correspondence of Town Engineer Tony Malone and Town Attorney Paul Rubery concerning this matter.

Committee # 4 - Edwin Wheeler

(1) Bingo - Application for Bingo License - Palmyra VFW

Motion number: 1981-0111

Date: November 12, 1981

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Approval of Application for Bingo License (VFW)

Resolved, that the Town Board of the Town of Palmyra approve the Application for Bingo License submitted by the Veterans of Foreign Wars, Palmyra Memorial Post #6778 for the year 1982 - occasions starting 1/5/1982 thru 12/28/1982.

Motion passed with 4 ayes.

(2) Dogs - Mr. Wheeler reported that the enumeration is going well.

(3) Elections - Mr. Wheeler questioned the Voucher submitted by the Village of Palmyra for use of rooms for Election and asked that it be returned to the Village Treasurer for re-submission as it appears to be \$25 to \$50 too high.

Committee # 5 - Bruce Wideman

In Mr. Wideman's absence, the following items came before the Board for consideration:

(1) James Kaufman's Application for Building Permit, subject of the Public Hearing held earlier in the evening was brought before the Board at this time.

Supervisor Lyon asked Zoning Officer/Building Inspector Roney if he had comments concerning this application. Mr. Roney came before the Board, reviewed the property and building (A-Frame) involved and presented a map/diagram establishing the location of the property showing the access, building, etc.. Mr. Roney referred to the telephone calls made to Mr. Kaufman, conversations with the secretary and messages which were left stating he would like to talk with him about this matter. He received absolutely no response. The following is a commentary on this subject:

Judson Roney - And so, I thought, one way to get Mr. Kaufman's attention was to put a good sized assessment on it and ask him if he would voluntarily come in. I'm not here to crucify any property owner in this Town, but, I've got to have response when I try to contact our property owners. Now - the problem with this property is that it is about 550 square feet, the over all size of the building is 20' wide by 28' long with 4' of the 28' a porch on the front of it and the A-Frame is roughly 16' high from ground level to the peak or crown of the building. When I went out to talk with Mr. Kaufman, who was very cooperative, he took me out there and he explained he used to have a lean-to out there and they'd go out and spend a night and it gave his children and his family a chance to rough it - in other words, as living quarters. Well, I would call your attention to the fact that all these cottages along the canal started out as week-end living quarters and many of them have grown into year-round residences because they change hands and the new owner says "Hey! this is a wonderful week-end retreat - I'll make some improvements and make it nicer yet for the week-end" then he sells it and it becomes a year round thing. Well, this is the first foot in the door when they start building something and it was identified to me, in all honesty, that they go out there, he showed me where his children sleep, up in the loft, where they spread out their sleeping bags. I was out there again on August 26th and, in fact, I found one window open there and when I got back to my office, I called Mr. Kaufman to advise him that one window was open and where the window was open, there was a roll of toilet paper right there - that you would have in a week-end overnight cabin and I feel that, if the Board wants to approve of having week-end cabins out in the woods that are so far from civilization, that's fine with me. I can only say that I have to interpret the law equally for everybody and that's what I've tried to do in this particular case. Any questions?

Nelson Cook: Is the building insulated?

Judson Roney: Not that I observed, No.

David Lyon: No foundation?

Judson Roney: Mounted on cement blocks - similar to cabins along the canal as far as the foundation is concerned.

LANDFILL  
PERMIT

WATER  
M.M.VAULT

COMM. #4  
BINGO

MOTION NO  
1981-0111

BINGO  
APPLIC.  
APPROVED

COMM. # 5

KAUFMAN  
APPLICATION

KAUFMAN

APPLIC.

CONT'D

Nelson Cook: Electric?

Judson Roney: No.

David Lyon: The question is - he states it's an Agricultural building used primarily for storage and you're stating it's a week-end residence - quite a difference.

Judson Roney: I found difficulty understanding the Agricultural application. First, I would mention, if you refer to the Zoning Ordinance of the Town of Palmyra - Town counsel Rubery can explain it in more detail - but, if you read the definition of a farm, it does has 3 acres, but the definition of a farm in the Town of Palmyra is property that is devoted to the raising of produce, raising of cattle and the raising of poultry. And, not one of our definitions of a farm does it mention forestry and I gather that is the type of farming that Mr. Kaufman is referring to. If you get a forestry exemption in New York State, you have to have 50 acres of woodland and Mr. Kaufman doesn't have 50 acres of woodland here to qualify as a New York State Forestry farm. My point is - it's fine with me if you grant the exemption, I was simply saying the requirement of any building, in fact this is the reason why the application was returned to Mr. Kaufman two different times, was that each of the first two applications and I think you can read it closely enough even in the final, page 3 of the final application, he makes reference to the sleeping accommodations and Mr. Rubery explained to me that any use of the building for sleeping accommodations gives it a characteristic of residential. It's a question - are we going to allow a 550 square foot residential property that does not conform to the code? It will not be the first Variance we have granted for such a matter, I presume. I don't know - I'm not that familiar with the history of the code.

Paul Rubery: Jud, this falls between the slots. Mr. Kaufman's original application called for a camp ( we have a 1000 square foot minimum for a 1 story house) and other than the toilet, it has no amenities of permanent residence and the situation is that it is in an Agricultural District. The question before the Board is - reading the law literally, it didn't come in a classification which Mr. Roney could act upon one way or another in granting a permit. He can only grant a permit for something that's permitted under our Zoning Ordinance and it was his position that there wasn't any classification there to fit because of the square footage. The Town doesn't want to establish a pre-existing use.

James Kaufman: May I respond to Mr. Roney's comments? He didn't say anything at the Public Hearing and now he's said some things to you that I think requires some response. First of all, this business of getting my attention with a high assessment - I don't know if this is being recorded, I hope that was recorded - just a lot of nonsense, improper, it's arbitrary, capricious. Secondly, it's true, I understand from my secretary that Mr. Roney called my office a couple of times before he wrote to me but I didn't get the messages. I receive 50-60 phone calls a day - had no reason to know if this message would be handled by one of my clients or one of my associates or someone else - I just didn't happen to get the message. The minute I got a written response from Mr. Roney, if I had gotten any written response from Mr. Roney before that, I would have responded to him personally. The concept of increasing an assessment \$62,000 to get a taxpayer's attention is a lot of absolute baloney, in addition to being illegal. Secondly, we use the toilet during the daytime. Apparently, Mr. Roney thinks if there is toilet paper there it means overnight accommodations. My kids sometimes want to go to the bathroom in the daytime, so we have a portapotty - we carry it out there, they go to the bathroom, wipe themselves and we go home with it, that's just not an accommodation, doesn't make it an accommodation, doesn't make it a residence - just a portapotty. Finally, regardless of which way you call this application, I've tried from the very beginning to be candid about the fact that this is a little, in perspective, a very little wooden A-Frame where I enjoy, my kids enjoy, walking in and out of it. You can use words artfully if Mr. Roney insists and call it accommodations but when they used to put their sleeping bag on the ground, that was their accommodations, it didn't make it a house, we're not land-locked, we have a right of way out we don't have land bordering on a road. But, we have a legal right of way and if we stayed over there 4 times in a year it might be a lot. Finally, on the aspect of establishing a precedence: by analogy to some canal property which is right on Route 31, let me say that I don't intend to establish any pre-existing use for a residence because I don't intend it to be a residence, I don't intend to sell it as a residence. If I wanted it to be a residence, I would build it as a residence and I would come to you if I needed to, to ask for a variance to make it into a residence. If, in the future, I want to make it into a residence, I would come to you, tell you that and ask if I could please have an area variance which I don't see is magical - which I think would be granted. I would put the septic system in, connect the well, figure out whether it would cost a fortune to run it by generator or bring electric in and I'd make it a residence but I've owned this property 10 years - never used it as a residence yet - it isn't feasible for a residence - I don't want it for a residence - I want it to get away from my residence. Thank you very much.

Judson Roney: I don't think I ever made a single statement that you were using it as a residence, did I, Mr. Kaufman?

At this time, Supervisor Lyon asked the Board's pleasure - did they want time to study the matter or were they ready to vote? The following Resolution was offered for the Board's consideration.



Motion number: 1981 - 0112 Date: November 12, 1981

Motion by: Edwin Wheeler, seconded by Andrew Baran

Title: Authorization to Issue Building Permit (Kaufman)

MOTION NO.  
1981-0112

KAUFMAN  
BLDG. PERM.

Resolved, that the Town Board of the Town of Palmyra authorize the issuance of Building Permit # 81-168 to James Kaufman. The Permit is conditionally approved with the further provision that prior to making any major improvements such as (a) installing a water system in the building, (b) installing, and/or connecting to, a septic system, (c) installing any electrical system, or (d) otherwise developing, enhancing or using the property for human habitation, a new permit application shall be filed with the Zoning Enforcement Officer.  
Motion passed with 4 ayes.

(2) Brian Havert - Supervisor Lyon asked Town Attorney Rubery if there had been any progress since he and Mr. Strobbridge were to get together on this matter. Mr. Rubery stated that he delivered an Application for a Building Permit to Mr. Strobbridge. Mr. Roney reported that he had advised Mr. Havert that he could not issue a Building Permit for the apartment until the Collision Shop has an adequate septic system. No further action can be taken at this time.

HAVERT

(3) Eugene Shields - Mr. Roney reported that on advice of the Town Attorney, he issued a Stop Work-order which Mr. Shields responded very quickly to. Mr. Shields came in, submitted an application for renewal of Building Permit #1975-373. This being a unique situation - no other house has been under construction for such a long period of time ( 6 - 7 years ) - Mr. Roney stated he is seeking guidance from the Board. The Board discussed this matter. Supervisor Lyon indicated there have been no complaints from the neighbors. The following Resolution was offered for the Board's consideration:

SHIELDS

Motion number: 1981 - 0113 Date: November 12, 1981

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Approval of Renewal Application (Shields)

MOTION NO.  
1981-0113

EXTENSION  
OF BLDG.  
PERMIT

Resolved, that the Town Board of the Town of Palmyra approve the extension of Eugene Shields' application for renewal of Building Permit #1975-373 to June 1982 and request a program of his building intentions be submitted by June 1, 1982.  
Motion passed with 4 ayes.

(4) Gordon Wheeler Violations - Papers have been served and Mr. Wheeler is to appear in Town Justice White's Court on December 7, 1981.

WHEELER

(5) Request of Betty Briggs - This request, Communication # 8, was discussed and the following Resolution was offered:

MOTION NO.

Motion number: 1981 - 0114 Date: November 12, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Approval for Re-imbursement of Expenses (Zoning Conference)

1981-0114

APPR. TO  
PAY EXP.  
(BRIGGS)

Resolved, that the Town Board of the Town of Palmyra approve the request of Betty Briggs for re-imbursement of expenses incurred while attending a Zoning Conference at the Nevele. Expenses amounted to \$323.90.

Motion passed with 4 ayes.

(6) Milan Smith - This complaint concerning a shed for housing a horse will go before the Zoning Board of Appeals.

M. SMITH

(7) Building and Fire Code - The Board along with Judson Roney and Paul Rubery discussed the legislation recently passed which will require municipalities which do not have their own Building and Fire Code by March 1, 1982, to automatically come under the New York State Building and Fire Code. Mr. Lyon requested Mr. Roney to have some information available for the next Board meeting.

BLDG. & FIRE  
CODE

(8) Resignation of Bruce Wideman -

Motion number: 1981 - 0115 Date: November 12, 1981

Motion by: David Lyon, seconded by Andrew Baran

MOTION NO.  
1981-0115



MOTION NO.  
1981-0115  
CONT'D

Title: Acceptance of Resignation - Bruce Wideman  
Resolved, that the Town Board of the Town of Palmyra accept the resignation of Town Councilman Bruce Wideman, effective November 12, 1981.  
Motion passed with 4 ayes.

MOTION NO.  
1981-0116  
APPT. OF  
D. SINCLAIR  
TO REPLACE  
B. WIDEMAN

The Board briefly discussed the appointment of a Town Councilman for the remainder of Mr. Wideman's term and the following Resolution was offered:  
Motion number: 1981 - 0116 Date: November 12, 1981  
Motion by: David Lyon, seconded by Edwin Wheeler  
Title: Appointment of Town Councilman to complete term of Bruce Wideman

Resolved, that the Town Board of the Town of Palmyra appoint Donald A. Sinclair, the Town Councilman-elect for 1982-1985, as Town Councilman to complete the term of Bruce Wideman - term expires 12/31/81.  
Motion passed with 4 ayes.

Supervisor Lyon welcomed Mr. Sinclair as a Town Councilman on the Town Board of the Town of Palmyra.

Mr. Lyon reported to the Board that the dues for the N.Y. State Association of Towns came to more than was allowed in the Budget and he offered the following Resolution:

MOTION NO.  
1981-0117  
TRANS. OF  
FUNDS

Motion number: 1981 - 0117 Date: November 12, 1981  
Motion by: David Lyon, seconded by Nelson Cook  
Title: Transfer of Funds - Assoc. of Towns Dues  
WHEREAS, the Invoice from the N.Y. State Association of Towns is for \$590.00 and the Town Budget for 1981 for this Account is \$375.00,  
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds from the Contingency Fund Account No. A1990.4 to the Municipal Association Dues Account No. A1920.4 in the amount of \$15.00, the deficit in the Account No. A1920.4.  
Motion passed with 4 ayes.

At the suggestion of Town Councilman Edwin Wheeler, newly-appointed Town Councilman Donald Sinclair was seated with the Board for the remainder of the meeting.

The following Resolutions for Transfers of Funds were offered for the Board's consideration:

MOTION NO.  
1981-0118  
TRANS. OF  
FUNDS

Motion number: 1981 - 0118 Date: November 12, 1981  
Motion by: David Lyon, seconded by Edwin Wheeler  
Title: Transfer of Funds - Buildings Account  
Resolved, that the Town Board of the Town of Palmyra approve the Transfer of Funds from the Contingency Fund Account A1990.4 to the Buildings-Contractual Expenses Account A1620.4 in the amount of \$333.78 as there is insufficient funds in the Buildings - Contractual Expense Account A 1620.4.  
Motion passed with 5 ayes.

MOTION NO.  
1981-0119  
TRANS. OF  
FUNDS

Motion number: 1981 - 0119 Date: November 12, 1981  
Motion by: David Lyon, seconded by Edwin Wheeler  
Title: Transfer of Funds - Social Security  
WHEREAS, the June check for Social Security was never received by the N.Y. State Social Security Agency and assumed lost, and  
WHEREAS, a new check had to be issued and an additional fee for late payment was charged,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the payment of \$32.43 to the N.Y. State Social Security Agency for interest charges for this late payment and approve the transfer of funds from the Contingency Fund Account A1990.4 to the General Fund - Social Security Account A9030.8 and then

transfer this amount of \$32.43 to the Trust and Agency Fund - Payroll - Social Security Account T - 26 from which the check will be drawn.  
Motion passed with 5 ayes.

At this time, the Town Board went into Executive session to discuss some Assessment litigations.

The Board returned to regular session.

Supervisor Lyon appointed Donald Sinclair as Chairman of Committee # 5.

The motion to adjourn this meeting was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes.

MOTION NO.

1981-0119

CONT'D

EXEC.

SESSION

RET'D TO

REG. SESSIO

APPL. TO

COMM. #5

MOTION TO

ADJOURN

Respectfully submitted,

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

November 24, 1981

REG. MTG.OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled for 8:00 P.M. on Tuesday, November 24, 1981 in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor David Lyon who also led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call, the following Town Officers were present: Supervisor David Lyon, Town Councilmen Edwin Wheeler, Nelson Cook, Donald Sinclair and Andrew Baran.

MOTION TO  
APPROVE  
MIN. OF

A motion was made by Edwin Wheeler, seconded by Andrew Baran to dispense with the reading of and approve as submitted the minutes of October 15th, October 22nd and November 5th. Motion passed with 5 ayes.

10/15, 10/22& 11/5

MOTION TO  
PAY CLAIMS  
ON-ABSTR. 11A

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Andrew Baran to approve payment of Vouchers as shown on Abstract # 11A. Motion passed with 5 ayes with David Lyon abstaining on Voucher #72. The Vouchers were listed by Funds as follows:

ABSTRACT # 11A -

GENERAL FUND  
PART TOWN FUND  
HIGHWAY ITEM I & IA  
HIGHWAY ITEM III  
HIGHWAY ITEM IV  
SOUTH WATER DISTRICT

|            |                |            |
|------------|----------------|------------|
| Vouchers # | 379 - 393      | \$ 3550.22 |
| "          | # 64 - 65      | 384.70     |
| "          | # 71 - 73      | 1364.42    |
| "          | # 190 - 197ABC | 939.16     |
| "          | # 35 - 36      | 4499.87    |
| "          | # 29 - 30      | 18.40      |

\$10756.77

TOTAL

COMMUNI-  
CATIONS

COMMUNICATIONS -

1. Notice from Genesee County Video Corporation re: Franchise Amendment
2. Copy of letter from T. Malone to DEC re: East Water District
3. Letter from Walter Pulcini re: request for Water for Trailer Park
4. Copy of letter from Judson Roney to Eugene Shells re: Bldg. Permit
5. Copy of letter from Jon Edinger to Rev. Vlaardingerbroek re: St. signing
6. Copy of letter from Judson Roney to David Lyon re: Bldg. & Fire Code
7. Copy of letter to Judson Roney from Village of Palmyra re: Resolution adopting Town of Palmyra Tax Rolls
8. Letter from Association of Towns re: Dues - plus information

REPORTS OFSTANDINGCOMM.COMM. #1PENN CEN.CONTR.REPORTS OF STANDING COMMITTEE -COMMITTEE # 2 -

(1) Penn Central Contract - Town Attorney Paul Rubery reviewed the project involving the Galloway Road Bridge and the acquisition of property needed for the project. A purchase price of \$1000 for 150" each side of the centerline has been agreed to but a survey is needed. The Board, along with the Town Attorney and the Town Highway Superintendent, discussed this project. Discussion included the cooperation of the New York State Department of Transportation, Highway and Canal Division, surveys, Rights of ways, needed, properties involved, Engineering and survey work. Supervisor Lyon reported that the County has budgeted for this project. Following the discussion, a resolution was offered for the Board's consideration.

Motion number:

1981 - 0120

Date: November 24, 1981

Motion by:

Andrew Baran, seconded by Edwin Wheeler

Title:

Approval for Survey (Galloway Road Bridge Project)

Resolved, that the Town Board of the Town of Palmyra approve the expenditure, not to exceed \$700, for survey work by Harnish & Lookup of Newark, N.Y. for the Galloway Road Bridge project.

Motion passed with 5 ayes.

COMMITTEE # 3 - Nelson Cook

(1) Water

MOTION NO.1981-0120APPR. FORSURVEY

(a) Request for Water - Pulcini Trailer Park

101  
WATER  
PULCINI  
REQUEST

Mr. Cook read a letter (11/23/81) from Hershey-Malone Associates which outlined the Town Engineer's recommendations for procedures to be taken re: Route 31 E. Extension for the Pulcini Trailer Park. Mr. Cook also reviewed a letter (11/18/81) from the Department of Health in Geneva concerning the Public Water Supply at the Pulcini Trailer Park. The Board discussed this problem with the Water Supply at the Park, reviewed the correspondence and the following Resolution was offered:

Motion number: 1981 - 0121 Date: November 24, 1981  
Motion by: Nelson Cook, seconded by Donald Sinclair  
Title: Authorization to Prepare Agreement (Pulcini)  
Resolved, that the Town Board of the Town of Palmyra authorize the Town Attorney to prepare an Agreement with Mr. Walter Pulcini in regard to the Extension of the East Water District, based on the recommendations of the Town Engineer and the Town Attorney, for submission to the Town Board on December 10, 1981.  
Motion passed with 5 ayes.

MOTION NO.  
1981-0121  
AUTHOR. TO  
PREPARE  
AGREEMENT

(b) Town Wide Water Study -

WATER STUDY

Mr. Cook read a letter (11/23/81) from Hershey Malone Associates in regard to the Town Wide Water Study listing the proposed tasks and estimated man hours required. A prior letter indicated that the cost of a study which would supply the material to go to a Permissive Referendum would run from \$2500 to \$4000. Mr. Cook reported that he has 7 citizens willing to serve on a Committee but he is now looking for direction from the Town Board. This matter was discussed at length by the Board and the following Resolution was offered:

Motion number: 1981 - 0122 Date: November 24, 1981  
Motion by: Nelson Cook, seconded by Edwin Wheeler  
Title: Authorization for Town Engineer to meet with Committee  
Resolved, that the Town Board of the Town of Palmyra authorize the Town Engineer to meet with the citizens' group at least 2 times with the cost not to exceed \$500 - said cost to be charged to the Town Engineer Account.  
Motion passed with 5 ayes.

MOTION NO.  
1981-0122  
AUTHOR. FOR  
ENG. TO MEET  
W/ COMM.

COMMITTEE # 5 - Donald Sinclair

COMM. # 5

(1) State Mandate re: Building Code and Fire Code

BLDG. &  
FIRE CODES

Judson Roney introduced Sharon Lilla of the Wayne County Planning Office who came before the Board at this time to speak concerning the Uniform Building and Fire Code, mandated by New York State with an effective date of January 1, 1984, and to inform the Board of what the law provides for the interim period. Municipalities have until March 1, 1982 to adopt their own codes or adopt the New York State Building and Fire Prevention Codes. Ms. Lilla also reviewed with the Board the procedures to be taken once a decision has been made. The manner of enforcement (plan & type) was discussed and the Board was informed that there are financial incentives for enforcement. Ms. Lilla's recommendation to the Board was to adopt the New York State codes. This matter was referred to Committee #5 and a report with recommendations will be made at the December 10th meeting.

Following Ms. Lilla's discussion concerning the New York State codes, the Board returned to Committee # 3.

COMMITTEE # 3 - Nelson Cook

COMM. #3  
CONT'D

(1) Water - cont'd

WATER

(c) Master meters - the investigation is continuing on this matter.

(2) Landfill - At the Supervisor's request, Town Highway Superintendent

LANDFILL

James DeBrine represented Palmyra at a meeting, held in Williamson, which dealt with the State and Federal regulations on Landfills. Thomas Hanna, Paul Kehoe, a DEG representative from Avonmas well as 6 Supervisors attended this meeting.

LANDFILL  
CONT'D

Subjects covered at this meeting and reported by Mr. DeBrine included State and Federal regulations, the permit to construct versus the permit to operate a landfill, test wells (monitoring), Industrial and Agricultural waste, re-cycling and a County-wide Landfill system. Discussion followed.

COMM. # 4COMMITTEE # 4 - Edwin Wheeler

No report at this time.

The Board returned to Committee # 5 reports:

COMM. # 5  
ZON. ORD.

(2) Zoning Ordinance - Mr. Roney reported to the Board on the progress with the new Zoning Ordinance. The Planning Board expects to meet several times in December and hopes to be able to submit a draft to the Town Board in January.

COMM. # 1COMMITTEE # 1 - David LyonASSOC. OF  
TOWNS MTG.

(1) Association of Towns Meeting - Mr. Lyon reminded the Board members of this meeting which will be held in New York City February 14th - 17th. Town Attorney Rubery suggested, for the convenience of those wishing to make reservations, that the Board consider the motion to authorize attendance at this meeting.

MOTION NO.  
1981-0123

Motion number: 1981-0123 Date: November 24, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Authorization to attend Association of Towns Meeting

AUTHOR. TO  
ATTEND ANN.  
ASSOC. OF  
TNS. MTG.

Resolved, that the Town Board of the Town of Palmyra authorize attendance of all Elected and Appointed Officials of the Town of Palmyra, including 1 member of the Planning Board and 1 member of the Zoning Board of Appeals, at the Association of Towns Meeting to be held in New York City February 14th - 17th with necessary expenses a proper charge to the Town of Palmyra.

Motion passed with 5 ayes.

DISTRIBUTION  
OF FUNDS

## (2) Distribution of Funds:

MOTION NO.  
1981-0124

Motion number: 1981-0124 Date: November 24, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Transfer of Funds (Justices & Buildings Contractual)

TRANS. OF  
FUNDS

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 \$745.36 (total) \$61.29 to Justices - Contractual expenses and \$684.07 to Buildings - Contractual expenses because of insufficient funds in these accounts.

Motion passed with 5 ayes.

MOTION NO.  
1981-0125

Motion number: 1981-0125 Date: November 24, 1981

Motion by: David Lyon, seconded by Edwin Wheeler

Title: Establishment of a Capital Reserve Fund

ESTAB. OF  
CAP. RES.  
FUND

Resolved, that the Town Board of the Town of Palmyra establish a Capital Reserve Fund in the amount of \$10,000, maximum of \$10,000, for Improvement of Land or the Development of Utilities Servicing the Land for Industrial Development. The establishment of Capital Reserve Funds is subject to a Permissive Referendum based upon a petition being filed with the Town Clerk within 30 days of the date of the notice. If no petition is filed for Permissive Referendum, the Capital Reserve Fund will become effective.

Motion passed with 5 ayes.

MOTION NO.  
1981-0126

Motion number: 1981-0126 Date: November 24, 1981

Motion by: David Lyon, seconded by Andrew Baran

Title: Transfer of Fur. (Machinery Capital Reserve)

TRANS. OF  
FUNDS

WHEREAS, the Town Board of the Town of Palmyra approved by resolution at their regular meeting on January 22, 1981 the allocation of Federal Revenue Funds to the Machinery Capital Reserve Fund in the amount of \$8000.00,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve



# **AFFIDAVIT OF PUBLICATION**

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

NOTICE IS HEREBY  
GIVEN that the Town Board  
of the Town of Palmyra, N.Y.,  
at its regular meeting on November 24,  
1981, adopted a Resolution  
establishing a Capital  
Reserve Fund in the amount  
of \$10,000, a maximum of  
\$10,000 for improvement of  
land or for development of  
utilities serving the land  
for the establishment of  
Capital Reserve Fund is  
subject to a Permissive  
Referendum based upon a  
petition being filed with the  
Town Clerk within 30 days  
of the date of this notice. If  
no petition is filed for  
Permissive Referendum, the  
Capital Reserve Fund will  
become effective.  
By Order of the  
Town Board of the  
Town of Palmyra,  
Betsy B. Stubbings  
Town Clerk  
Dated: 11-25-81 (15) (D-3)

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

.....Dec. 2, 1981.....

Rosalia J. Mouton  
Foreman of the Publisher

Subscribed and sworn to before me

this 3rd day of Dec. 1981.

Smith A. MacSuff  
Notary Public

Fee: \$9.40

JUDITH A. BEDDOFF  
Notary Public for the  
State of New York, County of Wayne  
4736123  
Expiration Date March 30, 1983

the transfer of funds in the amount of \$8000 from the Federal Revenue Sharing Fund to the Capital Funds - Machinery Reserve Account.

Motion passed with 5 ayes.

Motion number: 1981-0127 Date: November 24, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Encumbrance of Funds (Bridges)

WHEREAS, the Town Board of the Town of Palmyra approved by resolution at their regular meeting on January 22, 1981, the allocation of Federal Revenue Funds to the Bridges Account - Highway II in the amount of \$20,000,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the encumbrance of \$20,000 in the Federal Revenue Sharing Fund for the Bridges-Highway II Account.

Motion passed with 5 ayes.

Motion number: 1981-0128 Date: November 24, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Payment from General Revenue Sharing Fund (Comm. Ctr. Contr.)

WHEREAS, the contract between the Village of Palmyra and the Town of Palmyra for the Palmyra Community Center for 1981 was in the amount of \$9750 and,

WHEREAS, the Town Budget for 1981 appropriation for this account is \$9500,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the payment of the \$250 from the General Revenue Sharing Fund.

Motion passed with 5 ayes.

(3) Allocation of Space in Town Building - the following Resolution was offered for the Board's consideration:

Motion number: 1981-0129 Date: November 24, 1981

Motion by: David Lyon, seconded by Nelson Cook

Title: Allocation of Space in Town Building

WHEREAS, the Town of Palmyra has acquired additional space; and the Village Hall is being remodeled; and

WHEREAS, the newly elected Town Justice has requested office space,

NOW THEREFORE BE IT RESOLVED, that the space in the Town Building be allocated as follows:

A. Ground floor to be Town Clerk's office with the open space in the rear to be used as a Town Board meeting area and where necessary for court or other hearings when persons involved are handicapped.

B. The second floor, with access from the vestibule, will be allocated as follows:

1. the first two rooms starting from the south shall be allocated for Zoning Officer, Building Inspector and the Clerk.
2. the next two rooms to the north shall be used for Justice Court and hearing rooms for Zoning and Planning Board.
3. the northern most room shall be used as a supervisor's office and small meeting room.

For the convenience of the public at large, the following is a list of the telephone numbers of the various officials:

|                        |   |            |
|------------------------|---|------------|
| Town Clerk's Office    | 6 | 597 - 5521 |
| Building Inspector     |   | 597 - 2184 |
| Assessor               |   | 597 - 2184 |
| Town Supervisor        |   | 597 - 2324 |
| Highway Superintendent |   | 597 - 5532 |

Motion passed with 5 ayes.

(4) Cash Program - Judson Roney was asked by the Board to try to find applicants in order to use the remaining mon. At this time, Mr. Roney reported on several possible applicants and it is expected the money will be used in the Town of Palmyra. Board members questioned how the money was spent and it is expected a report will come in from the office in Lyons.

(5) Contracts -

MOTION NO.

1981-0126

CONT'D

MOTION NO.

1981-0127

ENCUMBRANCE

OF FUNDS -

BRIDGES

MOTION NO.

1981-0128

GEN. REV.

FUNDS FOR

COMM. CTR.

CONTRACT

MOTION NO.

1981-0129

ALLOCATION

OF SPACE

IN TN. BLDG.

CASH PROGRAM

CONTRACTS

104

CONTRACTS

## (5) Contracts -

MOTION NO.1981-0130APPR. OF  
CONTR. W/  
V. OF PAL.  
FOR FIRE  
PROT.

Motion number: 1981 - 0130 Date: November 24, 1981  
 Motion by: David Lyon, seconded by Edwin Wheeler  
 Title: Approval of Contract with the Village of Palmyra for Fire Protection in the Palmyra Fire Protection District  
 Resolved, that the Town Board of the Town of Palmyra approve the Contract between the Town of Palmyra and the Village of Palmyra for Fire Protection in the Palmyra Fire Protection District in the amount of \$22,000 for the year 1982 and in the amount of \$23,000 for the year 1983.

Motion passed with 5 ayes.

MOTION NO.1981-0131APPR. OF  
CONTR. W/  
PEVAS

Motion number: 1981 - 0131 Date: November 24, 1981  
 Motion by: David Lyon, seconded by Edwin Wheeler  
 Title: Approval of Contract with the Palmyra Emergency Volunteer Ambulance Service

Resolved, that the Town Board of the Town of Palmyra approve the contract between the Town of Palmyra and the Palmyra Emergency Volunteer Ambulance Service in the amount of \$4500 for the year 1982.

Motion passed with 5 ayes.

MOTION NO.1981-0132APPR. OF  
CONTR. W/  
LIBRARY

Motion number: 1981 - 0132 Date: November 24, 1981  
 Motion by: David Lyon, seconded by Edwin Wheeler  
 Title: Approval of Contract with the Palmyra Kings Daughters Free Library

Resolved, that the Town Board of the Town of Palmyra approve the Contract between the Town of Palmyra and the Palmyra Kings Daughters Free Library in the amount of \$9200 for the year 1982.

Motion passed with 5 ayes.

MOTION NO.1981-0133APPR. OF  
CONTR. -  
V. OF PAL. &  
PAL. COMM. CTR.

Motion number: 1981 - 0133 Date: November 24, 1981  
 Motion by: David Lyon, seconded by Edwin Wheeler  
 Title: Approval of Contract with the Village of Palmyra/ Palmyra Community Center for 1982

Resolved, that the Town Board of the Town of Palmyra approve the contract between and among the Town of Palmyra, the Village of Palmyra and the Palmyra Community Center, Inc. in the amount of \$12,500 for the year 1982.

Motion passed with 5 ayes.

MOTION NO.1981-0134APPR. OF  
CONTR. W/  
PAL. COMM.  
CTR.

Motion number: 1981 - 0134 Date: November 24, 1981  
 Motion by: David Lyon, seconded by Edwin Wheeler  
 Title: Approval of Contract with the Palmyra Community Center, Inc.

Resolved, that the Town Board of the Town of Palmyra approve the Contract between the Town of Palmyra and the Palmyra Community Center, Inc. in the amount of \$5000 for the year 1982.

Motion passed with 5 ayes.

The motion to adjourn was made by Edwin Wheeler, seconded by Andrew Baran and passed with 5 ayes.

MOTION TO  
ADJOURN

Respectfully submitted,

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

December 10, 1981

105

The regular meeting of the Town Board of the Town of Palmyra scheduled for REG. MTG. Thursday, December 10, 1981 at 8:00 P.M. in the Town Office, 201 East Main Street, OPENED Palmyra, New York was called to order by Supervisor David Lyon who also led those present in the Pledge of Allegiance to the Flag.

Upon Roll Call, the following Town Officers were present: Supervisor David ROLL CALL Lyon, Town Councilmen, Edwin Wheeler, Andrew Baran and Donald Sinclair. Town Councilman Nelson Cook was absent.

Others attending the meeting were: Town Attorney Paul Rubery, Assessor Judson Roney, Chuck Lyons of the Courier-Journal and Tim Wilbur, Dog Enumerator.

Following a review of the minutes submitted for approval, a motion was offered by Donald Sinclair, seconded by Edwin Wheeler to dispense with the reading of and approve as submitted the minutes of November 12, 1981. Motion passed with 4 ayes. MIN. OF  
11/12 APPR

Following a review of Claims submitted for payment, a motion was made by Edwin Wheeler, seconded by Donald Sinclair to approve payment of Vouchers as shown on Abstract # 11 B and # 12. Motion passed with 4 ayes. The Vouchers were listed by Funds as follows:

MOTION TO  
PAY CLAIMS

ABST. #11B  
& # 12

ABSTRACT # 11 B -

|                 |                    |                   |
|-----------------|--------------------|-------------------|
| GENERAL FUND    | Vouchers # 394-395 | \$ 4943.25        |
| HIGHWAY ITEM IV | " # 37             | 515.95            |
| TOTAL           |                    | <u>\$ 5459.20</u> |

ABSTRACT # 12 -

|                         |                    |                   |
|-------------------------|--------------------|-------------------|
| GENERAL FUND            | Vouchers # 396-427 | \$ 4541.35        |
| PART TOWN FUND          | " # 66- 69         | 359.03            |
| FEDERAL REVENUE SHARING | " # 10             | 88000.00          |
| HIGHWAY ITEM I & IA     | " # 74- 77         | 881.62            |
| HIGHWAY ITEM III        | " # 198-217        | 1637.98           |
| HIGHWAY ITEM IV         | " # 38- 39         | 442862.29         |
| NORTH WATER DISTRICT    | " # 29             | 9.45              |
| SOUTH WATER DISTRICT    | " # 31             | 9.13              |
| EAST WATER DISTRICT     | " # 31- 33         | 3854.30           |
| TOTAL                   |                    | <u>\$23509.15</u> |

Communications -

1. Letter from W. Daansen re: Lot #49 on Meadow Drive, Palmyra
2. Letter from L. Drury re: Entranceway for Bus Stop
3. Letter from the New York State Office for the Aging re: Recreation Program

COMMUNICA-  
TIONS

Reports of Standing Committees -

Committee # 1 - David Lyon

REPORTS OF  
COMMITTEES

COMM. # 1

(1) Buildings - Supervisor David Lyon referred to Communication # 2 concerning the request from L. Drury for the use of the entranceway as a Bus Stop for riders of the Park & Ride Service (RTS). The Board agreed that the entranceway should not be left open all night and Mr. Lyon raised the question of liability for the Town. Town Attorney Paul Rubery offered the suggestion that perhaps some arrangements could be made to have the outside door unlocked early in the morning. The Board discussed this matter and indicated that they wanted to accommodate the bus riders. The request was tabled until the next meeting to allow time to work out some arrangements.

BUILDINGS

REQUEST  
FROM BUS  
RIDERS

Before continuing with items under Committee # 1, Zoning Officer Judson Roney requested some time in order to place before the Board an application from Vincent Steffen, 1035 High Vista Terr., Webster, N.Y. seeking approval to excavate gravel from property on Route 21N owned by Theodore Uderwitz. Town Councilman Donald Sinclair presented the application to the Board as this item was listed on the agenda under his committee. Mr. Steffen came to the Board meeting

APPLIC. OF  
V. STEFFEN  
TO EXCAVATE  
GRAVEL



STEFFEN  
APPLICATION  
CONT'D

at Mr. Roney's invitation and the application was discussed with the Board. Some responsibilities which Mr. Steffen has to do before the Board can take any action were reviewed. Mr. Roney stated that he had contacted S. Brennan of the DEC as a State permit is necessary before the Town can grant approval. Mr. Steffen indicated that his attorney is working on the necessary forms. He was also advised that he should get the documentation to substantiate a pre-existing use. Supervisor Lyon stated that when all the necessary work is completed, the application would be referred to the Planning Board for their recommendations.

COMM. # 1

Committee # 1 - Cont'd.

BLDG'S. CONT'D

(1) Buildings - cont'd. The Board discussed the work done in the office and the need for some tables and chairs in order to have a more suitable area for Town Board meetings. Following the discussion on this matter, a Resolution was offered for the Board's consideration.

MOTION NO.

Motion number: 1981 - 0135 Date: December 10, 1981

1981-0135

Motion by: Edwin Wheeler, seconded by Andrew Baran

Title: Approval to Purchase Tables & Chairs

APPR. TO  
PURCHASE  
TABLES &  
CHAIRS

Resolved, that the Town Board of the Town of Palmyra approve the expenditure of an amount not to exceed \$750 for the purchase of tables and chairs for the Board meeting area of the Town Office.

Motion passed with 4 ayes.

ASSOC. OF  
TNS. MTG.

Supervisor Lyon reminded those who might be interested of the Association of Towns Meeting to be held in New York City February 14th - 17th.

DEC. MTG.

The Board was also reminded of the second meeting in December to be held on Tuesday, December 29th - a regular Town Board meeting plus the year-end transactions (Transfers of Funds and Encumbrances of Funds).

Mr. Lyon reported that it has been discovered that the Town has been paying on 3 Electric and 3 Gas meters and only one for each utility is necessary, plus there should be a saving of approximately 20% on the fuel bill. The change can be done by Francis Rush at a cost not to exceed \$130. The Supervisor expressed his appreciation to Jud Roney and Fran Rush for bringing this to the Board's attention. The following Resolution was offered for the Board's consideration:

MOTION NO.

Motion number: 1981 - 0136 Date: December 10, 1981

1981-0136

Motion by: Edwin Wheeler, seconded by Donald Sinclair

Title: Authorization to Change Meters

AUTHOR. TO  
CHANGE METERS

Resolved, that the Town Board of the Town of Palmyra authorize the expenditure of funds - not to exceed \$130, for making the change in the Electric and Gas meters - from 3 Electric and 3 Gas meters to 1 Electric and 1 Gas meter.

Motion passed with 4 ayes.

2ND FLOOR  
HTG. SYS.

The Board also discussed the heating system on the second floor. Mr. Roney advised the Board that there is no insulation to prevent a heat loss thru the attic and roof. A suggestion was offered to put a slow moving ceiling fan in the Assessor's office. It was also reported that there are fumes in the Supervisor's office when the space heater is turned on. Mr. Sinclair offered the suggestion that a central heating system be installed on the second floor with separate thermostats for each office. Recommendations will be made at a future meeting.

COMM. # 2

Committee # 2 - Andrew Baran

AGREEMENT W/  
PENN CENTRAL

(1) Agreement with Penn Central ( Galloway Bridge Road)

Town Attorney Paul Rubery reviewed the Agreement and Lease with Penn Central for property and right of way at the Galloway Bridge Road area. The following Resolution was offered for the Board's consideration:



107

Motion number: 1981 - 0137 Date: December 10, 1981 MOTION NO.  
 Motion by: Andrew Baran, seconded by Edwin Wheeler 1981-0137  
 Title: Approval of Agreement & Lease with Penn Central AGREEMENT  
 Resolved, that the Town Board of the Town of Palmyra authorize the Supervisor W/ PENN  
 to sign and execute the Agreement and Lease with Penn Central for the property CENTRAL  
 and Right of Way for the Galloway Bridge Road project.  
 Motion passed with 4 ayes.

(2) Agreement to Spend Town Highway Funds

Motion number: 1981 - 0138 Date: December 10, 1981 MOTION NO.  
 Motion by: Andrew Baran, seconded by Edwin Wheeler 1981-0138  
 Title: Approval of Agreement to Spend Town Highway Funds AGREEMENT  
 Resolved, that the Town Board of the Town of Palmyra, pursuant to the provisions TO SPEND  
 of Section 284 of the Highway Law, agree that moneys levied and collected for HWY. FUNDS  
 the repair and improvement of highways, and received from the State for the re-  
 pair and improvement of highways, shall be expended as follows: \$91,152.00 -  
 General repairs upon 48.89 miles of Town Highways, \$31,009.00 - Improvements of  
 .92 miles - Cornwell Road.  
 Motion passed with 4 ayes.

(3) Transfer of Funds

Motion number: 1981 - 0139 Date: December 10, 1981 MOTION NO.  
 Motion by: Andrew Baran, seconded by David Lyon 1981-0139  
 Title: Transfer of Funds - General Highway Item I TRANS. OF  
 Resolved, that the Town Board of the Town of Palmyra approve the Transfer of FUNDS  
 Funds from General Highway Item I - Contractual Expenses, Account No. DR 5110.4  
 to General Highway Item I - Employee Benefits - Social Security Account No. DR  
 9030.8 in the amount of \$816.69 to cover insufficient funds in Account DR9030.8.  
 Motion passed with 4 ayes.

Committee # 4 - Edwin Wheeler COMM. # 4

(1) Recreation - Application for Funds - Office for the Aging

Motion number: 1981 - 0140 Date: December 10, 1981 MOTION NO.  
 Motion by: Edwin Wheeler, seconded by Andrew Baran 1981-0140  
 Title: Authorization for Supervisor to sign Application for Funds APPR. OF  
 Resolved, that the Town Board of the Town of Palmyra authorize the Supervisor's SUPER. SIG.  
 signature on the Application for Funds - Recreation Program, matching funds for NATURE ON  
 Senior Citizens in the Town of Palmyra controlled thru the Office for the Aging APPLIC. FOR  
 and the Palmyra Community Center. FUNDS  
 Motion passed with 4 ayes.

(2) Dogs - Mr. Wheeler reported briefly on the Dog Enumeration and ad- DOGS  
 vised the Board that the Clerk had requested that the Board consider the ex-  
 penditure of \$100 to have a Card Index File of Dogs done by Tim Wilbur instead  
 of the Enumeration List which has been done in the past. This matter was dis-  
 cussed and a Resolution was offered.

Motion number: 1981 - 0141 Date: December 10, 1981 MOTION NO.  
 Motion by: Edwin Wheeler, seconded by Donald Sinclair 1981-0141  
 Title: Authorization for Card Index File - Dogs APPR. FOR  
 Resolved, that the Town Board of the Town of Palmyra authorize the expenditure CARD INDEX  
 of \$100 from the Dog Account for the preparation of a Card Index File of the  
 licensed dogs in the Town of Palmyra.  
 Motion passed with 4 ayes.

(3) Bingo - Mr. Wheeler advised the Board members that a copy of some BINGO  
 new regulations for Bingo is available for anyone who is interested in review-  
 ing same. Don Sinclair had some questions in regard to the inspection of Bingo  
 operations.

COMM. # 5

## (1) Zoning

ZONING

(a) Request for excavation of gravel - covered earlier in the meeting.

MOBILE HOME  
PARK PERMITS

(b) Mobile Home Park Permits - Mr. Roney reported that, as Zoning Officer and Building Inspector, he made inspections of the Mobile Home Parks last fall but visual inspections should be made by the Town Board acting as the Board of Health. When Town Councilman Sinclair questioned the position of Health Officer, Town Attorney Paul Rubery reviewed the background on the appointment of Dr Adams as Health Officer and the reasons why the Town Board acts as a Board of Health. Mr. Sinclair stated that he is not comfortable without an active Health Officer and offered to contact Dr Adams to clarify the situation. Mr. Sinclair also requested Mr. Roney to contact, by letter, the Park owners who do not have their renewal permits in and advise them to respond by December 18th.

NYS STATE  
BLDG. &  
FIRE CODES

## (c) New York State Building and Fire Prevention Codes -

Mr. Sinclair reported that he had met with Mr. Roney and Mr. Rubery to review the New York State Codes and to discuss which way would be best to adopt the Codes. Mr. Rubery indicated that the Board could adopt the Codes either by Resolution or Local Law but advised that adoption by Resolution was the simpler and less expensive way. At this time, Mr. Sinclair offered a Resolution for the Board's consideration.

Motion number: 1981 - 0142 Date: December 10, 1981  
Motion by: Donald Sinclair, seconded by Edwin Wheeler  
Title: Adoption of New York State Building and Fire Prevention Codes

MOTION NO.  
1981-0142ADOPTION  
OF NYS  
BLDG. CODE

Resolved, that the Town Board of the Town of Palmyra hereby accepts the applicability of the State Building Construction Code for the Town of Palmyra to become effective in said Town of Palmyra on the 10th day of December, 1981, in accordance with the provisions of Section 394-a of the Executive Law, and it is,

ADOPTION  
OF NYS  
FIRE PREV.  
CODE

Further resolved, that the Town Board of the Town of Palmyra hereby accepts the applicability of the State Fire Prevention Code for the Town of Palmyra to become effective in said Town of Palmyra on the 10th day of December, 1981, in accordance with the provisions of Section 392 of the Executive Law.

~~Motion Under discussion~~ Mr. Sinclair stated that, at the meeting with Mr. Roney and Mr. Rubery, enforcement of these Codes was looked at carefully. The Town Board will put the responsibility back on the contractors and Mr. Roney will do spot inspections for local contractors. Major construction will require architects and engineers for certification. If a contractor is found who is not obeying, he will not function in Palmyra. Mr. Sinclair also reported that the Town extended the courtesy to Garlock, Inc., thru Lloyd Green, of making them aware of the New York State Codes. There were no problems with Garlock - Mr. Green suggested the Town contact the Fire Commissioners. Harry White, Fire Commissioner, also stated no problems with the Fire Department, in fact, they have been in favor of the Town adopting the Codes. The Board also requested that Mr. Roney document his time involved and if there is a significant increase in the work load, the Board will deal with the problem. Following this discussion, the motion passed with 4 ayes.

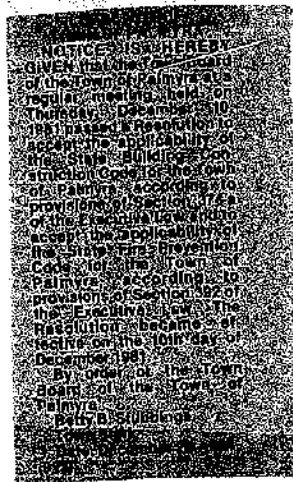
ZON. ORD.

## (d) Zoning Ordinance - Mr. Roney requested time to thank Chuck

Lyons of the Courier-Journal for making a correction concerning a statement which had indicated when a draft of the Zoning Ordinance would be available. Mr. Roney then proceeded to report to the Board that the Planning Board met December 1st and December 8th and will meet again on December 15th. Mr. Rubery

# **AFFIDAVIT OF PUBLICATION**

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



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

Dec. 30, 1981

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 31st day of December 1981  
*Judith A. MacDuff*  
Notary Public

Fee: \$ 8.85

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4786126  
Expiration Date March 30, 1983

also reported on progress being made with the Ordinance and general discussion followed.

A resolution for Transfers of Funds, because of insufficient funds in two accounts, was offered.

Motion number: 1981 - 0143 Date: December 10, 1981

Motion by: David Lyon, seconded by Edwin Wheeler

Title: Transfers of Funds ( Justice & Buildings)

Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from the Contingency Fund Account No. A1990.4 in the amount of \$1367.45 to the Justices - Contractual Expenses Account No. A1110.4 in the amount of \$106.57 and to the Buildings - Contractual Expenses Account No. A1620.4 in the amount of \$1260.88. Both Accounts A1110.4 and A1620.4 have insufficient funds.

Motion passed with 4 ayes.

The motion to adjourn to Executive session to discuss Assessment litigations was made by David Lyon, seconded by Edwin Wheeler and passed with 4 ayes.

The Board returned to regular session.

Motion number: 1981 - 0144 Date: December 10, 1981

Motion by: David Lyon, seconded by Andrew Baran

Title: Organizational Meeting

Resolved, that the Town Board of the Town of Palmyra hold the 1982 Organizational Meeting on Tuesday, January 5, 1982 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York.

Motion passed with 4 ayes.

The motion to adjourn was offered by Donald Sinclair, seconded by Andrew Baran and passed with 4 ayes.

MOTION NO.

1981-0143

TRANS. OF

FUNDS

JUSTICE &

BLDGS.

MOTION TO

HOLD EXEC.

SESSION

MOTION NO.

1981-0144

ORGAN. MTG.

MOTION TO

ADJOURN

Respectfully submitted,

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

December 29, 1981

REG. MTC.  
OPENED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Tuesday, December 29, 1981 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, New York was called to order by Supervisor David Lyon at 8:10 P.M..

Those present were led in the Pledge of Allegiance to the Flag by Town Councilman Andrew Baran.

ROLL CALL

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

Others attending this meeting were: Virginia Wilson, Chuck Lyons and Tim Wilbur.

MIN. OF

11/24

APPR.

Following a review of the minutes submitted for approval, a motion was made by Andrew Baran, seconded by Edwin Wheeler to dispense with the reading of and approve as submitted the minutes of November 24, 1981. Motion passed with 4 ayes.

MOTION TO  
PAY BILLS  
VOTE TABLED  
TO LATER IN  
MEETING

Following a review of Claims/Vouchers submitted for payment, a motion was made by Andrew Baran, seconded by Nelson Cook to approve payment of Vouchers as shown on Abstract # 12 A. The Vouchers were listed by Funds as follows:

|                         |                      |            |
|-------------------------|----------------------|------------|
| ABSTRACT # 12 A -       |                      |            |
| GENERAL FUND            | Vouchers # 428 - 456 | \$18530.70 |
| PART TOWN FUND          | " # 70 - 75          | 32837.88   |
| FEDERAL REVENUE SHARING | " # 11 - 14          | 2665.70    |
| HIGHWAY ITEM I & IA     | " # 78               | 1924.33    |
| HIGHWAY ITEM III        | " # 218 - 229        | 1705.21    |
| HIGHWAY ITEM IV         | " # 40 - 41          | 5085.93    |
| NORTH WATER DISTRICT    | " # 30 - 32          | 3902.59    |
| SOUTH WATER DISTRICT    | " # 32 - 33          | 1928.38    |
| EAST WATER DISTRICT     | " # 34 - 37          | 1045.29    |
| TOTAL                   |                      | \$69626.01 |

Before voting on the motion, a question was raised by Town Councilman Wheeler concerning the lack of signatures on Community Center Vouchers. The Bookkeeper assured Mr. Wheeler that the check would not be issued until the signatures were on the Vouchers. Town Councilman Nelson Cook had some questions for the Town Attorney concerning the Vouchers for payment of water to the Village of Palmyra, specifically a 15% rate for loss factor. The vote for approval to pay the Vouchers on Abstract # 12 A was tabled until Town Attorney Paul Rubery was present.

COMMUNICA-  
TIONS

## Communications:

1. Copy of a letter to Paul Rubery from Paul Kehoe re: Veterans' exemption on the Real Property tax. ( Copy to Gene Woodard, representative of Amer. Legion)
  2. Letter to Supervisor Lyon from James DePoint, President of the Palmyra Macedon School Board of Education re: Sharing of Sales Tax Revenue.
  3. Letter to Judson Roney from New York State Electric & Gas Corporation re: recommendations concerning energy use and conservation at the Town Hall.
  4. Letter of resignation from Judith McIntyre.
  5. Letter to Nelson Cook from Hershey, Malone Associates re: Town Landfill and the DEC Solid Waste Management Facility Permit Renewal
- Reports of Standing Committees -

## Committee # 1 - David Lyon

(1) Buildings - Mr. Lyon reported that, concerning the request for use of the Entranceway as a Bus stop of Park & Ride passengers, he has been able to make arrangements with the Village of Palmyra Police Department to unlock the front door early each morning to accommodate the bus riders. He will so notify Ms. Drury by letter.

(2) Neighborhood Watch Program - Supervisor Lyon reported that he



Has been trying to set a date for a meeting with interested townspeople and the Sheriff's Department. He would like the meeting to be in East Palmyra Fire Hall but conflicts exist during the winter months. Mr. Cook suggested the Palmyra Fire Hall and Mr. Lyon indicated he would check into the matter and will report at the next meeting.

(3) Assessment settlements - this report was put off until the Town Attorney arrived. ASSESSMENT

(4) Service of Town Justice Harry K. White - Supervisor Lyon presented the following Resolution:

Motion number: 1981 - 0145 Date: December 29, 1981  
Motion by: David Lyon, seconded by Nelson Cook  
Title: Expression of Appreciation for Service of Town Justice Harry K. White

MOTION NO.

1981-0145

TN'S APPREC.

FOR 20yrs.

SERVICE -

HARRY WHITE

WHEREAS, Town Justice Harry K. White is retiring after 20 years of service as a Town Justice for the Town of Palmyra,  
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra express their appreciation for the long, distinguished and outstanding service of Harry K. White as Town Justice for the Town of Palmyra.  
Motion passed with 4 ayes.

Committee # 2 - Andrew Baran

COMM. # 2

No report at this time.

Town Councilman Edwin Wheeler offered a motion expressing the Town Board's thanks and appreciation to Andrew Baran for graciously filling in as Town Councilman for the Town of Palmyra for the last 3 months, completing the unexpired term of David Lyon. Motion was seconded by Nelson Cook and passed with 3 ayes.

MOTION TO

THANK ANDY

BARAN

Committee # 3 - Nelson Cook

COMM. # 3

(1) Water

WATER

(a) Request for Water at Pulcini Trailer Park - There has been no response from Mr. Pulcini at this time.

(b) Contract for Services of Water District Superintendent

Motion number: 1981 - 0146 Date: December 29, 1981  
Motion by: Nelson Cook, seconded by Andrew Baran  
Title: Approval of Contract with the Village of Palmyra for Services of Water District Superintendent

MOTION NO.

1981-0146

CONTR. W/

V. OF PAL.

W. DIST.

SUPER.

Resolved, that the Town Board of the Town of Palmyra approve the Contract between the Village of Palmyra and the Town of Palmyra in the amount of \$1800 for the services of the Water District Superintendent for the year 1982.

Motion passed with 4 ayes.

(2) Landfill - The Board discussed the letter read under Communication # 5 concerning the renewal of the State Permit for the operation of the Town Landfill. Mr. Cook stated that he will direct the Town Engineer to ask the State for Variances allowed under the regulations. Mr. Lyon suggested that the Town also ask for an extension on the present permit.

LANDFILL

Committee # 4 - Edwin Wheeler

COMM. # 4

(1) Dogs - Dog Enumerator Tim Wilbur came forward at this time and submitted the following report:

DOGS

REPORT OF

DOG ENUM.

1021 Dogs Licensed and accounted for  
147 " Not legal, not licensed or no record  
68 Puppies  
7 Kennel dogs

1243 Total

(1) 1021 Licensed dogs - Index Cards done  
(2) 147 Not licensed, no record - 6 page report of Names and addresses  
(3) 68 Puppies & 7 Kennel dogs - 2 page report, several 6 months or older

- (4) For the additional \$100
- Index cards
  - 47 Dead dogs not reported, 15 dogs moved, 7 dogs untrackable and owner has no phone, 13 renewals untrackable, 9 currently licensed but unable to locate owner
  - 3 page report of no longer used license numbers
  - 1 page report of addresses visited, no one home but signs

DOG ENUMERATOR'SREPORTCONT'D

of a dog.

"I consider myself very lucky to have been able to finish this job, only being able to do so by having the use of last years records and the Zoning Index of who lives where.

My main problem has been call backs!

I do not profess in any way or manner that I have found or located all dogs in the Town of Palmyra. I have, however, tracked, located and recorded a high percentage that I openly challenge the next enumerator to match or beat.

As for the job itself, the majority of people were willing to give me requested information with Maple Avenue residents taking the prize for most friendly. However, as always, there are those who can be nothing but sarcastic, unlogical, and living in a forgotten time not accepting that it is the 1980s. This is why I suggest that in the future you find an enumerator, such as I, who has worked with people before.

I am of the opinion that this job would be ideal for the many clubs, organizations or good will groups to do, groups which have a good active membership. Especially those groups that hit the Town for money annually. A group that worked for it's money above and beyond, would be exceptional. I suggest you approach them next year. But, since this kind of out-come is unlikely, I highly suggest you tell the next enumerator to have reliable help!

I have encountered many angry non dog owners. Fayette Street in the Village is tops for noisy-unleashed dogs. There have also been many complaints from Town residents who usually live in a natural amphitheater and have to listen many nights to the neighbors' dogs that live a good quarter mile away, and they ask me why something can't be done about it.

I have also heard of one isolated story of a pack of 11 to 14 dogs, all belonging to one owner that attacked a boy. It would seem to me and it is my opinion that we are living in the age where America's favorite past time is to sue and that, the Town, if not already, should adopt policies governing dog behavior and protecting the Town from possible lawsuits. And, it could have happened last year for that boy who was attacked was just a stone's throw away from Town property.

I also suggest that the Town should have or prepare several items for the next enumerator:

1. An official card the enumerator can pin to his shirt that identifies him.
2. A prepared statement of how to present yourself as the enumerator as I have done.
3. To move your starting date from October to mid-September for the benefit of Daylight Savings Time.
4. That you inform the next enumerator of potential dangers like known cases of mean dogs at East Palmyra and Garnsey Road and reported cases of highly contagious hepatitis which I heard about in the Trolley Road area. If it had been my first stop, I would have quit on the spot!
5. Another suggestion would be - There's got to be a better way to do this job. One idea is to use lists, such as the Zoning lists of each house per road - then the enumerator could check off as he goes by.
6. To find someone, like myself, who can read a map, for I have found that the Newark Dog Enumerator has come into my area by Hazen Land, Cambier Road and areas on each side of Port Gibson.

In conclusion, I would like to go over these lists with the Dog Warden to clarify or to tell him what to expect when he has to visit these places and will be willing to advise the next dog enumerator to give insights as to how to best perform this job that I have only found out in hindsight is too much for just one person to go into cold."

Town Councilman Wheeler thanked Mr. Wilbur for the excellent report and stated that the information contained in the report will be used for future enumerations.

REQUEST FROM  
THE CLERK  
FOR TEMP.  
HELP

The Clerk requested the Board to consider hiring Tim Wilbur on a temporary basis to assist in the Clerical work concerning the dog licensing, such as, getting letters out to delinquent dog owners, typing a numerical list of licenses to be used as a cross reference, assisting the Dog Control Officer in contacting owners of unlicensed dogs found during the Dog Enumeration.

MOTION NO.  
1981-0147

Motion number: 1981 - 0147 Date: December 29, 1981  
Motion by: Edwin Wheeler, seconded by Andrew Baran  
Title: Authorization to Hire Temporary Help

Resolved, that the Town Board of the Town of Palmyra authorize the Town Clerk to hire Tim Wilbur on a temporary basis at the rate of \$3.50 per hour to assist with the clerical work involving the licensing of the dogs in the Town of Palmyra.

Motion passed with 4 ayes.

(2) Contract with the Village of Palmyra - Palmyra Community Center

Motion number: 1981 - 0148 Date: December 29, 1981

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Approval to pay first two quarters of Contract with the Village of Palmyra at Feb. 25th meeting.

MOTION NO.

1981-0148

APPR. TO PAY

1st 2 QURTS

OF PAL. COMM

CTR. W/VILL

WHEREAS, the Contract between the Village of Palmyra and the Town of Palmyra for the operation of the Palmyra Community Center indicates that payment will be made in 4 quarterly installments, March, June, September and December, and

WHEREAS, the Village of Palmyra has to submit to the State an amount equal to 2 installments by March 1982 in order to receive State Aide from the Division of Youth,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve payment of the 1st and 2nd quarters to the Village of Palmyra at the regular meeting of the Town Board to be held February 25, 1982.

Motion passed with 4 ayes.

(3) Library - The Kings' Daughters Free Library have requested the Board

to consider some additional funding in the amount of \$750 for the Micro-reader & Printer for which the Town allocated funds in the amount of \$3050 at the Public Hearing on the Actual Use of General Revenue Sharing Funds. The Board discussed this request and the following Resolution was offered.

Motion number: 1981 - 0149 Date: December 29, 1981

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 Kings Daughters Free Library for additional funds in the amount of \$750.00 for the Micro-reader printer.

LIBRARY

MOTION NO.

1981-0149

APPR. OF

REQ. FOR

ADD. FUNDS

Supervisor Lyon reported that there are no funds available at this time, but, with the notice that the Town will receive some Special Municipal Funds (approximately \$3497) the end of December or the first part of January, the request probably could be granted at that time.

A motion was made by Edwin Wheeler, seconded by Nelson Cook, to table this motion - No. 1981-0149 - to the first regular meeting in January. Motion passed with 4 ayes.

MOTION TO

TABLE LIB.

REQ.

Committee # 5 - Donald Sinclair

(1) Mobile Home Park Permits - Action on these permits was tabled to the first regular meeting in January. The Clerk reported that all permits have been received and all fees have been paid.

COMM. # 5

MOB. HOME

PK. PERMITS

The Board turned their attention to Communication # 3 concerning the Energy Audit Report from Thomas Hoffman of the New York State Electric & Gas Corporation. It was decided to get some costs on the recommendations made in this report. Supervisor Lyon stated that he will try to have some figures at the next regular meeting. General discussion followed.

RET'D TO

ENERGY

AUDIT

At this time, Supervisor Lyon requested the Bookkeeper, Virginia Wilson, to report to the Board on the year-end Transfers of Funds and Encumbrances of Funds.

TRANSFERS

OF FUNDS

The following Resolutions were offered for Transfers of Funds:

Motion number: 1981 - 0150 Date: December 29, 1981

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds (Justices & Buildings)

MOTION NO.1981 - 0150CONT'DTRANS. OF FUNDSJUSTICES &BUILDINGS

WHEREAS, there are insufficient funds in the following accounts:

Justices - Contractual Expenses Acct. No. A1110.4 \$516.50

Buildings - Contractual Expenses Acct. No. A1620.4 209.84 \$726.34

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the transfer of funds from the Contingency Acct. No. A1990.4 in the amount of \$726.34 to

Justices - Contractual Expenses Acct. No. A1110.4 for \$516.50 and to

Buildings - Contractual Expenses Acct. No. A1620.4 for \$209.84.

Motion passed with 4 ayes.

MOTION NO.1981-0151TRANS. OFFUNDSHWY. I

Motion number: 1981-0151 Date: December 29, 1981

Motion by: Nelson Cook, seconded by Andrew Baran

Title: Transfer of Funds (Highway I)

Resolved, that the Town Board of the Town of Palmyra approve the transfer of funds from Part Town Fund (percapita) Acct. B3001 in the amount of \$27845.00 to Highway I Repairs & Improvements Acct. No. DR 5031.

Motion passed with 4 ayes.

Motion number: 1981 - 0152 Date: December 29, 1981

MOTION NO.1981-0152TRANS. OFFUNDSDOG CONTROL

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Transfer of Funds (Dog Control)

WHEREAS, the Revenue Account No. A2544 for Dog Control shows an income of \$4277.98 and the Appropriation Expense Acct. shows an expense of \$5157.20 for 1981 - a difference of \$879.22 deficit and

WHEREAS, there is a Reserve of \$2431.50 in Acct. A872 - Reserve for Excess Dog Control Revenues,

NOW THEREFORE BE IT RESOLVED, that the Town Board approve the transfer of \$879.22 from this Reserve Acct. to cover the deficit in the Dog Control Acct. A3510.4

Motion passed with 4 ayes.

The following Resolutions were offered for the Encumbrances of Funds:

ENCUMBRANCESOF FUNDSMOTION NO.1981-0153CAPITAL RES.

Motion number: 1981 - 0153 Date: December 29, 1981

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Encumbrance of Funds (Capital Reserve)

WHEREAS, the Town Board of the Town of Palmyra published a 30 day Permissive Referendum Notice establishing a Capital Reserve Fund in the amount of \$10,000, maximum of \$10,000 for Improvement of Land or the Development of Utilities Servicing the Land for Industrial Development and,

WHEREAS, the 30 day referendum was dated December 2, 1981 and Reserve Account cannot be established until January 2, 1982,

NOW THEREFORE BE IT RESOLVED, that the \$10,000 from the Federal Revenue Sharing Fund be encumbered as of December 31, 1981.

Motion passed with 4 ayes.

Motion number: 1981 - 0154 Date: December 29, 1981

MOTION NO.1981-0154HWY. I

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Encumbrance of Funds (Highway I)

Resolved, that the Town Board of the Town of Palmyra approve the encumbrance of funds from the Highway I Account No. DR5110.4 in the amount of ~~\$193.75~~ <sup>\$963.75</sup> to cover the following December bills: Agway - \$84.22, Gibro - \$733.53, Pal Oil - \$96.00.

Motion passed with 4 ayes.

Motion number: 1981 - 0155 Date: December 29, 1981

MOTION NO.1981-0155

Motion by: Nelson Cook, seconded by Andrew Baran

Title: Encumbrance of Funds (Highway III)



Resolved, that the Town Board of the Town of Palmyra approve the Encumbrance of Funds in the Highway III Account No. DM 5130.4 in the amount of \$2005.32 to cover the following December bills,

|                  |           |
|------------------|-----------|
| Antonelli Tire   | \$682.48  |
| Genesee Ford     | 167.11    |
| Goebert          | 274.06    |
| Sherburne        | 59.40     |
| Agway            | 69.50     |
| Russell Auto     | 45.55     |
| Blazey           | 138.45    |
| Santelli         | 16.43     |
| Ron Worth        | 440.00    |
| Schoffield       | 70.68     |
| Palmyra Hardware | 25.00     |
| Beam Mack        | 16.66     |
| Total            | \$2005.32 |

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MOTION NO.

1981-0155

CONT'D

ENCUMBR.  
OF FUNDS

(HWY III)

Motion passed with 4 ayes.

Motion number: 1981 - 0156 December 29, 1981

Motion by: Nelson Cook, seconded by David Lyon

Title: Encumbrance of Funds ( Highway IV )

Resolved, that the Town Board of the Town of Palmyra approve the encumbrance of Funds in the Highway IV Account No. DS 5142.4 and DS 5148.4 in the amount of \$3013.00 to cover the following December bills:

|                    |           |
|--------------------|-----------|
| Jamson             | \$1330.00 |
| International Salt | 1683.00   |
| Total              | \$3013.00 |

Motion passed with 4 ayes.

A motion was offered by Edwin Wheeler, seconded by Nelson Cook, to recess until the Town Attorney joined the meeting. Motion passed with 4 ayes.

The regular meeting resumed at 9:30 P.M. with Town Attorney Paul Rubery present.

The Board returned to Committee # 3 -

Water - The Board discussed with Town Attorney Paul Rubery the application of Walter Pulcini for water service to property on Route 31 - East Water District. A question concerning a payment of a voucher charged to the East Water District was also discussed. There is a deficit in the East Water District but there is an unexpended balance due to interest earned. The following Resolution was offered for the Board's consideration:

Motion number: 1981 - 0157 Date: December 29, 1981

Motion by: Edwin Wheeler, seconded by Nelson Cook

Title: Use of Unexpended Balance - East Water District

Resolved, that the Town Board of the Town of Palmyra approve the use of excess unexpended balance in the East Water District Account to cover a deficit in the subsidiary Acct. No. SW5-8320.4 - Contractual Expenses not covered by the current budget.

Motion passed with 4 ayes.

With Town Attorney Rubery present, the Board returned to the matter of the billing by the Village of Palmyra for the water used in the Town of Palmyra Water Districts, specifically, the 15% loss factor on the Master Meter readings. The Town hasn't paid a loss factor in the last year due to the problem with the Master Meters for the North & South Districts and, although the Engineer checked the flows in these Districts, the change in meter heads has not been completely resolved. Town Attorney Rubery advised the Board not to pay the 15% loss factor until a letter is received from the Town Engineer supporting the determination of the 15% loss factor.

MOTION NO.

1981-0156

ENCUMBR.  
OF FUNDS

(HWY IV)

MOTION TO

RECESS

MTG. RESUM.

COMM. # 3

CONT'D

WATER

MOTION NO.

1981-0157

E. WATER DIST

USE OF UNEX.  
BALANCE

DISC. ON

BILLING



MOTION TO  
PAY WATER  
VOUCHERS

MOTION TO  
PAY BILLS  
ABSTR. 12A

REPORT OF  
TN. ATTOR.  
ON ASSESS.  
SETTLEMENTS

A motion was made by Nelson Cook, seconded by Andrew Baran to approve payment of the Residential reading, excluding the 15% loss factor, on the Vouchers for the North and South Water Districts as shown on Abstract # 12A. Motion passed with 4 ayes.

The Board returned to the vote on the motion, tabled earlier in the meeting, to approve payment of Vouchers as shown on Abstract # 12 A. Motion passed with 4 ayes.

Assessment settlements - Town Attorney Paul Rubery made the following report to the Town Board:

"At the last meeting, the Board authorized me to negotiate with the attorney for Conifer Development Association and, also, with the attorney for Salzburg Village and Swiss Chalet.

As a result of the power given to me by the Board, I believe I have a settlement which would mean that Conifer Development would drop their action on WayneCo Association which is Towpath II (low-rise). Settlement agreement would provide that the Assessment in 1979 would be \$957,727, in 1980 - \$900,000 and in 1981 - \$875,000 with no commitment beyond that time - that's the high-rise.

With regard to Salzburg Village, they had a dispute in 1979, 1980 and 1981. The basis of the settlement is that they accepted our Assessment for 1979, that 1980, 1981, 1982, 1983 and 1984 it would be at \$1,111,000. When we started out, it was \$1, 418,000. \$400,000 was where we started in 1979 and they were willing to accept that. By running the assessment for 1982, 1983 and 1984, there's no money out of pocket. There is no money out of pocket for the school, the Town and the Village -- the County will have to pay for 1980 and 1981. The settlements reflect that the adjustments are within 10% of the appraisal of the professional appraiser.

The assessment on Swiss Chalet in 1979, 1980 and 1981 was \$401,000 and they accepted that for 1979. In 1980, 1981, 1982, 1983 and 1984, it will be \$360,000.

One other point, there was no money spent on the final assessment for Towpath I - a \$3500 savings."

Mr. Rubery explained the procedures in paying back the taxes due to the assessment change.

Motion number: 1981 - 0158 Date: December 29, 1981  
Motion by: Edwin Wheeler, seconded by Nelson Cook  
Title: Board Authorization for Settlement with Conifer Development and owners of Salzburg Village & Swiss Chalet

ASSESSMENT  
SETTLEMENTS

Resolved, that the Town Board of the Town of Palmyra authorize the Assessment Settlements with Conifer Development and the owners of Salzburg Village and Swiss Chalet as reported by Town Attorney Paul Rubery and direct the Town Attorney to prepare agreements and orders settling the same. Motion passed with 4 ayes.

REPORT ON  
ASSESSMENT  
SETTLEMENTS  
BY J. RONEY

Assessment settlements continued - Judson Roney offered the following report on assessment negotiations with the Gleason Equipment Company:

"The basic situation is that property owned by the Gleason Equipment Company, 22.9 acres off Vienna Street, with 600 foot frontage on Vienna Street, was assessed for \$18,000 - this was up from \$10,000 the year before. The Gleason Company appealed to the Board of Assessment Review. The Board considered the matter and set the Assessment at roughly \$21,000. Gleason Equipment then filed papers in Supreme Court to appeal that decision.

Paul Rubery, Town Attorney, asked that he not be involved in this litigation because he had a conflict of interest. The Town of Palmyra agreed to retain the services of John Nesbitt to represent the Town. John Nesbitt has worked with Mr. Mooney, representative of the Gleason Equipment Company. Yesterday, the 28th, in my office we had a discussion on the whole matter.

I had been asked to determine what the value of this 22.9 acres of land would be if the Gleason Company had applied for Agricultural Ceiling Exemption Status. I figured originally \$15,100 but it is approximately now at \$14,970. We agreed for initial discussion purposes to talk in terms of \$14,900 as being the Agricultural Ceiling on that property. We'll tentatively accept that, but it's subject to review after we discuss the property on Howell Street. On Howell Street, Gleason Equipment Company owns a lot which is part of a contiguous piece of land which goes out of the Village and around in back of property owned by Wizeman and connects on

with the property (22.9) in the Village on Vienna Street and connects with 300 acres of land which goes back to Vienna Road. The part in the Village is the part they appeal. Last year the 1980 assessment for the parcel of .25 acre was \$2000. When I assessed in 1981, I assessed land and I also assessed improvements. All the land along Howell Street (.27 acre), the standard value I assigned was \$5200 - adjusting to that, Cleason property was assigned \$3800. Cleason appealed to the Board of Assessment Review. The Board considered and agreed with \$3800. Under discussion, he claimed Howell Street in that area was not a dedicated street, so I checked with the Village and found, Yes, it is a dedicated street. Ray Smith plows there since the annexation of property of Vincent Smith. The area Cleason owns is adjacent to property annexed to the Village. We discussed various features and could reconcile the Howell Street property at \$2500 and the Vienna Street property at \$14,900. I checked with John Nesbitt and he reported that Mr. Mooney would attend the Board meeting tonight."

Larry Mooney made the following statement:

"There is Supreme Court action pending for a determination of the Assessment. There has been a Court-appointed referee who, if this is not settled, would then have to take testimony and appraisals, etc. We are willing to accept the arrangement which Jud has indicated and that would be that we would enter a stipulation on the Court Order indicating that the Vienna Street property will be assessed for the year 1981 at \$14,900. On the Howell Street property, we are willing to go along with the decision of the \$2500 assessment. Both will be subject to Agricultural Ceiling exemption. Tonight, we request that you authorize John Nesbitt to enter into the necessary stipulations on the Court orders to finish up these two assessments."

Motion number: 1981 - 0159 Date: December 29, 1981  
Motion by: Edwin Wheeler, seconded by Nelson Cook  
Title: Assessment Settlement with Cleason Equipment Company  
Resolved, that the Town Board of the Town of Palmyra authorize John Nesbitt to enter into the necessary stipulations for the Court orders to finish up these two Assessment settlements with the Cleason Equipment Company.  
Motion passed with 3 ayes - Andrew Baran abstained.  
Town Office Building - Mr. Roney reported to the Board that he has had talks with people in regard to problems with the building and will get estimates on the work which he will turn over to Mr. Lyon's committee.

Mr. Roney briefly spoke to the Board in regard to an Assessment bill - Senate Bill 7000 A which was vetoed by the Governor. The Legislature overrode the veto and passed the Bill. One point Mr. Roney wished the Board to be aware of is that owners of 1-2-3 family residences may be able to by-pass the Supreme Court and protest their assessment in Small Claims Court.

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

Respectfully submitted,

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

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J. RONEY'S  
REPORT  
CONT'D

L. MOONEY'S  
REPORT

MOTION NO.  
1981-0159  
ASSESS. SETT  
W/ CLEASON  
EQUIP. CO.

TN. OFFICE  
BLDG.

ASSESSMENT  
LEGISLATION

MOTION TO  
ADJOURN

January 5, 1982

ORGANIZATIONAL MEETINGORGANIZATIONALMTG.OPENED

The Organizational Meeting of the Town Board of the Town of Palmyra was called to order at 8:00 P.M. on Tuesday, January 5, 1982 in the Town Office, 201 East Main Street, Palmyra, New York by Supervisor Leroy Aplin who also welcomed those present. He introduced the Town Clerk and the Board members to those in attendance at the meeting.

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

ROLL CALL

Members of the Town Board of the Town of Palmyra present for this Organizational Meeting were: Supervisor Leroy Aplin, Town Councilmen David Lyon, Edwin Wheeler and Donald Sinclair. Town Councilman Nelson Cook was absent due to illness in his family.

Interested persons attending this meeting were: Peter Buck, Stephen Hays, Chuck Lyons of the Courier-Journal, Town Justice Albert Hunt and Robin Nichols.

APPOINTMENTS  
BY SUPERVISOR

The following appointments were made by Supervisor Aplin:

|                   |                    |
|-------------------|--------------------|
| Deputy Supervisor | Peter C. Buck      |
| Bookkeeper        | W. Virginia Wilson |
| Town Historian    | Lorene Warner      |
| Fire Wardens      | Ronald Madsen      |
|                   | Harlin Tyler       |

COMMITTEE  
APPOINTMENTSStanding Committee Appointments -

|                                         |                                           |
|-----------------------------------------|-------------------------------------------|
| Highway Committee                       | - Edwin Wheeler                           |
| Water Committee                         | - David Lyon                              |
| Landfill Committee                      | - Donald Sinclair                         |
| Assessment, Zoning & Planning Committee | - Nelson Cook                             |
| Cemeteries Committee                    | - Roy Aplin                               |
| Town Office Building Committee          | - David Lyon, Chairman with Board members |

making up the Committee.

MOTION TO  
APPT. TN.  
ATTORNEY

A motion was made by David Lyon to appoint Paul Rubery as Town Attorney for the Town of Palmyra for the year 1982. The motion was seconded by Edwin Wheeler. Under discussion, Mr. Aplin stated that his opinion stayed the same as in the past - that conflicts of interest existed with Paul Rubery as Town Attorney. Mr. Lyon stated that any attorney in Palmyra would have conflicts of interest and Mr. Sinclair stated that it should be the responsibility of the Board to be aware of any conflicts. Following discussion, the motion was passed with David Lyon, Donald Sinclair and Edwin Wheeler voting aye and Roy Aplin voting no.

MOTION TO  
APPROVE  
APPTS. &  
SALARIES

A motion was made by David Lyon, seconded by Edwin Wheeler to approve the following appointments and salaries:

|                                                 |                    |                    |
|-------------------------------------------------|--------------------|--------------------|
| Town Constable                                  | Francis Toole      | Fee reimbursement  |
| Zoning Enforcement Officer & Building Inspector | Judson Roney       | \$1368.00 Annually |
| Dog Control Officer                             | Harold Fisher      | Fee reimbursement  |
| Water District Superintendent                   | Harold Kruger      | \$1800.00 Annually |
| Deputy Town Clerk                               | W. Virginia Wilson | \$ 4.25 Hourly     |
| Deputy Highway Superintendent                   | Lyman Kaller       | \$ 7.39 Hourly     |
| Voting Machine Custodians                       | John Rigney        | \$ 125.00 Annually |
|                                                 | Ell North Bedette  | \$ 125.00 Annually |
| Court Clerks                                    | Mara Gulver        | \$1500.00 Annually |
|                                                 | Helgan Haak        | \$1500.00 Annually |
|                                                 |                    | \$ 3.35 Hourly     |

Election Inspectors  
Motion passed with 4 ayes.