

Hearing To Be Held On Village Dump

The following is a copy of a Notice of Hearing and Complaint served on Mayor Kilbane. We have also listed, for your information, the sections of the law quoted in the summons so that the people of the village will be aware of the situation developing on the operation of the dump.

In the fiscal year 6-1-67 to 6-1-68 the village had budgeted \$300.00 for the operation of the dump. This amount had been adequate for many years prior to the enforcement of these laws in this area. The actual monies expended in the above mentioned year totaled \$2,838 or \$2,538 more than the amount budgeted. This expense was due primarily to the required fencing and rental of a bulldozer to compact and cover the dump weekly. We budgeted for this fiscal year \$2,916, with more than \$550.00 expended in two months. These increased costs were the main cause of the increased village tax rate for this year.

Unless certain exemptions are made by the state, the cost of bringing this dump into compliance may be extremely expensive to the taxpayers. Some of the additional costs to be considered could be: 1. The purchase of adequate equipment to cover the dump daily, 2. A full time operator, 3. A building to house the equipment, 4. The possibility of finding a new location away from the main highway. Because of these costs we may consider utilizing one of the area sanitary landfills already equipped and approved by New York State.

THE VILLAGE BOARD

STATE OF NEW YORK: DEPARTMENT OF HEALTH

In the Matter of Notice of Alleged Violations of Part 19 and Part 190 of Title 10 of the Official Code and Compilation of Codes, Rules and Regulations of the State of New York by VILLAGE OF ANDOVER. Respondent

PLEASE TAKE NOTICE that pursuant to Articles 1, 2 and 12-A of the Public Health Law, a public hearing will be convened and held on August 23, 1968 at 11:00 A.M., in Room 159 of the New York State Department of Health building, 84 Holland Avenue, City and County of Albany, New York, to hear and consider charges against the respondent as follows:

I. THAT the Village of Andover by its officers, agents and employees, violated Part 19 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York (State Sanitary Code) at the refuse disposal area operated and maintained by the respondent, located 1.7 miles West of Andover on Route 17, Town of Andover, Allegany County, New York, by failing to maintain and operate such area in conformity with the requirements of Part 19 of the State Sanitary Code in that:

A. Without a duly granted exemption, respondent burned or permitted the burning of refuse at such refuse disposal area in violation of Section 19.2 (a) (1); such violations occurred on August 26, 1966, February 8, 1967, August 2, 1967, December 19, 1967, March 1, 1968, March 18, 1968, and at other times.

B. Without a duly granted exemption, respondent dumped or permitted dumping of refuse at such area so that it was not confined to an area which could be effectively maintained and operated as required by the provisions of section 19.2 (a) (3); such violations occurred on February 8, 1967, August 2, 1967, December 19, 1967, March 1, 1968 and at other times.

C. Without a duly granted exemption, respondent failed to compact and cover the refuse at such area daily with a compacted layer of at least six inches of suitable cover material and a final compacted cover of at least two feet of suitable cover material within one week after the final deposit of refuse as required by the provisions of section 19.2 (a) (4);

such violations occurred on August 26, 1966, August 2, 1967, December 19, 1967, March 1, 1968, March 18, 1968, May 3, 1968 and at other times.

D. Respondent failed to control flies, rodents and other insects in violation of section 19.2 (a) (5); such violations occurred on August 26, 1966, February 8, 1967, August 2, 1967, December 19, 1967, March 1, 1968 and at other times.

II. THAT the Village of Andover, by its officers, agents and employees, violated section 190.2 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York at the beforementioned refuse disposal area, by burning or permitting the burning of refuse in an open fire at such refuse disposal area; such violations occurred on August 26, 1966, February 8, 1967, August 2, 1967, December 19, 1967, March 1, 1968, March 18, 1968 and at other times.

TAKE FURTHER NOTICE that a record of the hearing will be made and witnesses will be sworn. You may appear in person and shall have the right of counsel and to cross-examine witnesses against you and produce witnesses and evidence in your defense.

TAKE FURTHER NOTICE that at the conclusion of the hearing the Commissioner shall thereupon take such action upon such findings and determinations as he deems proper and shall execute an order carrying such findings into effect.

TAKE FURTHER NOTICE that the hearing of the above charges will be instituted and conducted in compliance with Public Health Law section 12-a and sections 1278, 1280 and 1281 and an order entered pursuant to Public Health Law sections 12-a (5) and 1282.

TAKE FURTHER NOTICE that if you are found to have committed the violations with which you are charged, the Commissioner of Health may take such action as is authorized by sections 12, 12-a, 12-b and 1286 of the Public Health Law, in addition to any remedies or penalties allowed by local laws or other State laws. DATED: Albany, New York August 1, 1968.

HOLLIS S. INGRAHAM, M.D. Commissioner of Health of the State of New York TO:

HON. PAUL KILBANE Mayor, Village of Andover, New York DONALD A. MACHARG Commissioner's Designee to Issue Notice of Hearing

19.2 Refuse disposal areas. (a) Operation and maintenance. Any person who maintains or operates refuse disposal area or permits the use of land as a refuse disposal area shall maintain and operate such area in conformance with the requirements of this Part.

(1) Burning of refuse at a refuse disposal area is prohibited unless an exemption in writing is granted by the full-time health officer within whose jurisdiction said refuse disposal area is located, and provided that such exemption does not contravene the standards established by the Air Pollution Control Board.

(2) No refuse shall be deposited in such manner that refuse or leachings from it shall cause or contribute to a condition in contravention of the standards adopted pursuant to section 1205 of the Public Health Law.

(3) Dumping of refuse shall be confined to an area which can be effectively maintained and operated in accordance with these regulations. This shall be controlled by supervision, fencing, signs, or equally effective means unless an exemption in writing is granted by the full-time health officer within whose jurisdiction said refuse disposal area is located.

(4) Refuse at a refuse disposal area shall be compacted and covered daily with a compacted layer of at least six inches of a suitable cover material, and a final compacted cover of at least two feet of a suitable cover material shall be placed within one week after the final deposit of refuse at any portion of such refuse disposal area unless an exemption in writing is granted by the full-time health officer within whose jurisdiction said refuse disposal area is located.

(5) Effective means shall be

1968-69 Small Game Hunting Season Announced

Although it is very definitely summer at the moment the State Conservation Department — along with more than a half million small game hunters — is thinking about fall. The Department has released the dates for the 1968-69 small game hunting seasons.

First shooting in the State will be offered by woodcock which opens September 23 in the Northern Zone. This unusually early opening is due to the fact that these migratory birds may be hunted for 65 days, in accord with Federal regulations. If the season were to start later, the birds probably would all have moved out of the area before the end of the season. Game specialists in the Department reminded hunters that their earlier opening, when much foliage will still be on trees, will emphasize the need for a well-trained dog to aid in locating downed birds.

Hunting hours for all small game in New York State is the same as last season — sunrise to sunset. These hours include woodcock, although for other migratory birds shooting begins one-half hour before sunrise. Booklets listing sunrise and sunset hours for various parts of the State will be available from license-issuing agents.

Cottontail rabbits, pheasants, raccoons, ruffed grouse, squirrels and varying hare open October 1 — throughout the Northern Zone. Hungarian partridge opens on the same date in Clinton, Franklin, Jefferson and St. Lawrence Counties, the only areas in the State in which "huns" may be taken. Most other small game hunting in the eastern half of the State — except for Long Island — open on October 7. This includes squirrel, ruffed grouse, raccoon, pheasant, cottontail rabbit and woodcock in all counties while quail opens on the same date in Orange, Putnam and Westchester Counties. October 7 also will mark the opening of the woodcock season on Long Island.

Wild turkey also will become fair game on October 7 in the southeastern portion of Delaware County, but a free permit is required before turkeys may be taken. Permits for this hunt may be obtained by sending name and small game license number to Regional Game Manager, Stamford, New York 12167.

Pheasant and cottontail rabbit hunting opens in the western half of the State on October 21. On Long Island, all small game seasons except woodcock, open November 1. This includes cottontail rabbit, pheasant, quail, raccoon, ruffed grouse and squirrel.

Wild turkey opens November 4 in the southwestern part of the State. Free permits for this hunt are obtainable by sending name and small game license number to Turkey Permit N.Y.S. Conservation Department, Albany, New York 12226.

As in past years, the varying hare season opens at differing times across the State, ranging from October 1 in the north to February 1 in the east. The Conservation Department soon will announce an open season on the European hare which becomes a protected species on October 1 under provisions of a law enacted during the last session of the Legislature.

Hunters are advised to check the 1968-69 Hunting-Trapping-Fishing Guide for specific references to seasons, bag limits and areas. The guide will be available at license-issuing agents in mid-August. Among changes noted from last season are these:

— Ruffed grouse and squirrel will close January 31 throughout the State instead of December 31 as last season.

— Oswego County has been added to the list of counties in which Sunday pheasant hunting is permitted.

— The bag limit on varying hare has been raised from one to two in Allegany, Cattaraugus, Chautauqua and Steuben Counties.

— Following is a regional breakdown of hunting dates and bag limits for all seasons. Northern Zone (Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, St. Lawrence, Warren and parts of Fulton, Herkimer, Oneida, Oswego, Saratoga and Washington Counties) Squirrel — October 1 — January 31, 5 per day. Ruffed Grouse — October 1 — January 31, 4 per day. Hungarian Partridge — October 1 — October 25, 5 per day in Jefferson and St. Lawrence Counties. — October 1 — November 10, 3 per day in Clinton and Franklin Counties.

Cottontail Rabbit — October 1 — February 28, 6 per day. Varying Hare (Snowshoe Rabbit) — October 1 — February 28, 3 per day. Woodcock — September 23 — November 26, 5 per day, 10 in possession after first day.

Rails — September 1 — November 9, 25 per day, 25 in possession, singly or in aggregate of sora, Virginia or yellow rails; 7 king or clapper rails per day or 14 in possession after first day or in aggregate. Gallinules — September 1 — November 9, 15 per day, 30 in possession after first day. Wilson's Snipe — September 23 — November 11, 8 per day, 16 in possession after first day. Raccoon — October 1 — February 28, Clinton, Essex and Franklin Counties, no limit. — October 1 — March 16, elsewhere in Northern Zone, no limit. Pheasant — October 1 — October 20, 2 per day in Jefferson, Lewis and St. Lawrence Counties and Northern Zone parts of Herkimer, Oneida and Oswego Counties. No Sunday hunting in Oneida County; Cocks only in Jefferson, Oneida and Oswego Counties. — October 1 — November 10, 2 per day in Clinton, Essex, Franklin, Hamilton and Warren Counties and Northern Zone parts of Fulton, Saratoga and Washington Counties. Hens allowed in all these counties; no Sunday hunting in Hamilton, Saratoga, Warren and Washington Counties. Eastern Section (Albany, Columbia, Delaware, Dutchess, Greene, Montgomery, Orange, Otsego, Putnam, Rensselaer, Rockland, Schoharie, Schoharie, Sullivan, Ulster, and Westchester Counties and Southern Zone parts of Fulton, Saratoga and Washington Counties) Squirrel — October 7 — January 31, 5 per day. Ruffed Grouse — October 7 — January 31, 4 per day. Quail — October 7 — October 27, 4 per day, 10 per season in Orange, Putnam and Westchester Counties. Cottontail Rabbit — October 7 — February 28, 6 per day. Varying Hare — October 7 — February 28, 3 per day in Southern Zone parts of Fulton and Washington Counties. — December 4 — February 28, 3 per day in Delaware, Greene, Rensselaer, Sullivan and Ulster Counties and parts of Otsego and Schoharie Counties. — February 1 — February 28, 2 per day in Albany, Columbia and parts of Otsego and Schoharie Counties. Woodcock — October 7 — November 26, 5 per day, 10 in possession after first day. Rail — September 1 — November 9, 25 per day, 25 in possession, singly or in aggregate of sora, Virginia or yellow rails; 7 king or clapper rails per day or 14 in possession after first day singly or in aggregate. Gallinules — September 1 — November 9, 15 per day, 30 in possession after first day. Wilson's Snipe — October 7 — November 11, 8 per day, 16 in possession after first day. Raccoon — November 1 — February 28, no limit. Pheasant — November 1 — December 31, 4 per day, 30 per season. No hens permitted in Nassau County nor in Suffolk County Towns of Easthampton, Shelter Island and eastern portion of Southampton.

October 13, southeastern portion of Delaware County, 1 per season, free permit to hunt.

WESTERN SECTION (Albany, Broome, Cattaraugus, Chautauqua, Chemung, Cortland, Erie, Hamilton, Herkimer, Madison, Monticello, Otsego, Oneida, Ontario, Orleans, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, Yates and Southern Zone parts of Herkimer, Oneida and Oswego Counties) Squirrel — October 7 — January 31, 5 per day. Ruffed Grouse — October 7 — January 31, 4 per day. Cottontail Rabbit — October 21 — February 28, 6 per day in Western Section, except 4 per day in Allegany, Cattaraugus, Chautauqua, Chemung, Schuyler and Steuben Counties. Varying Hare — October 21 — February 28, 2 per day in Southern Zone portions of Herkimer, Oneida and Oswego Counties. — December 16 — December 31, 2 per day in Allegany, Cattaraugus, Chautauqua and Steuben Counties. Woodcock — October 7 — November 26, 5 per day, 10 in possession after first day. — Rails — September 1 — November 9, 25 per day, 25 in possession, singly or in aggregate of sora, Virginia or yellow rails; 7 king or clapper rails per day or 14 in possession after first day singly or in aggregate. Gallinules — September 1 — November 9, 15 per day, 30 in possession after first day. Wilson's Snipe — October 7 — November 11, 8 per day, 16 in possession after first day. Raccoon — October 7 — March 16, no limit. Wild Turkey — November 4 — 16, one per person in Allegany, Cattaraugus, Chautauqua, Chemung, Steuben and the southeastern portion of Erie County. Pheasant — October 21 — November 10, 2 per day in the Southern Zone portions of Herkimer, Oneida and Oswego Counties; No Sunday hunting in Oneida County; no hens in Oneida and Oswego Counties. — October 21 — November 16, 2 per day in rest of Western Section. No Sunday hunting. Hens legal only in Allegany, Cattaraugus, Chautauqua, Chemung, Schuyler and Steuben Counties. Long Island (Nassau and Suffolk Counties) Squirrel — November 1 — January 31, 5 per day. Ruffed Grouse — November 1 — December 31, 1 per day. Quail — November 1 — December 31, 6 per day, 40 per season. Cottontail Rabbit — November 1 — January 31, 5 per day. Woodcock — October 7 — November 26, 5 per day, 10 in possession after first day. Rails — September 9 — November 9, 25 per day, 25 in possession, singly or in aggregate of sora, Virginia or yellow rails; 7 king or clapper rails per day or 14 in possession after first day singly or in aggregate. Gallinules — September 9 — November 9, 16 per day, 30 in possession after first day. Wilson's Snipe — October 7 — November 11, 8 per day, 16 in possession after first day. Raccoon — November 1 — February 28, no limit. Pheasant — November 1 — December 31, 4 per day, 30 per season. No hens permitted in Nassau County nor in Suffolk County Towns of Easthampton, Shelter Island and eastern portion of Southampton.

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Dave Proudman To Appear At Erie Fair

Dave Proudman of London, Ontario, one of the 22 experts in the Jack Kochman Hellriver show coming August 17th through 24th at the Erie County Fair, Hamburg, N. Y., provides the comic relief in the 28-stunt, stuffed, hour and forty-five minute thrill-packed show. But even a clown must be an outstanding performer in the Kochman Hellriver aggregation and Proudman has more than a dozen years behind the wheel to his credit.

No other exhibitor can match the lurch for quick growth in its first weeks.

Milk cows in New York were fed 1,822,000 tons of grain and other concentrates in 1967.