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Photo by Martin Toombs

A worker for T and H Roofing of Port Byron uses a seat suspended from the top of the steeple to work on St. Patrick's Church, Elmira.

St. Patrick's Undergoing Repairs

Elmira — Repairs to the exterior of St. Patrick's Church are underway, as the first step in a repair and improvement program that could total \$60,000 when completed, according to Father Daniel Holland, pastor.

The project includes repairs to the exterior of the more

than 100-year-old brick church, and improvements designed to reduce heat loss.

Father Holland noted that they will progress with the projects slowly, with the intention of raising sufficient funds through a monthly special collection just launched to pay for the work. He noted that parishioner response has been good,

possibly because they can easily see the need for the repairs.

The current work is being done on the front of the church, and includes replacement of some bricks and repointing; painting of woodwork; repair to slate roofs on the steeples, and a plexi-glass cover for the large stained-glass window. The steps in front of the church, no longer able to be repaired, will be removed and replaced. Currently doing the brick work is T and H Roofing of Port Byron.

The parish-owned house adjoining the rectory on North Main Street is being demolished.

Future projects include covering the rest of the stained glass windows in the church; repointing the rest of the church and the rectory, and fitting the rectory windows with storm windows. Construction of small vestibules inside the church to reduce heat loss and a confessional suitable for the new rite are included in projects inside the church.

Also being investigated is an air circulation system, to bring hot air down from the ceiling in the winter.

Father Holland noted his hope that the work can be completed and paid for during the next two years.

St. Patrick's Graduates 105

Elmira — St. Patrick's Junior High School graduated 105 eighth graders in ceremonies in St. Patrick's Church Monday, June 16.

The students received their diplomas during a Mass which was concelebrated by area priests. Principal concelebrant was Father Paul McCabe, as regional coordinator.

Homilist for the Mass was Father Richard Kinsky, CSB, diocesan superintendent of schools.

St. Ann's Graduates Receive Awards

Hornell — St. Ann's School graduated 18 students in ceremonies June 18 in St. Ann's Church.

Each graduate filled a duty during the Mass, which was the 108th graduation from St. Ann's.

Several awards were presented.

Michele Wulforst received several commendations for overall achievement and improvement, donated by the Catholic Daughters; for science, donated by the Knights of Columbus, and she shared the award for American history, donated by

the Kanestio Valley Chapter of the Daughters of the American Revolution, with Anthony Falco.

Mary Schneider won the religion award, donated by the Ladies of Columbus; the highest scholastic achievement award, donated by St. Ann's Alumni, and a special award for the student receiving the highest grade in the ninth grade Regents algebra exam, which was donated by the Knights of Columbus.

The eighth grade mathematics award was won by Susan Lorow, also donated by the Knights of Columbus.

religion, donated by the Catholic Daughters.

Marie Manning and Joseph Wood received the Shirley Whitten Memorial Award, given to the boy and girl attaining the highest marks in English. The award is donated by David Whitten in memory of his wife who taught in the Catholic schools for 23 years.

Marina Carapella received the service award, donated by the school faculty.

Robert Recotta received the award for the most improvement in English, which was presented by the Knights of Columbus in honor of the jubilee of Father Thomas Brennan, St. Mary's pastor emeritus.

Court Dismisses CT Scanner Suit Against St. Joseph's

By Martin Toombs
Southern Tier Editor

Elmira — The lawsuit against St. Joseph's Hospital concerning the location of a CT scanner in the hospital-owned Medical Arts Building has been dismissed "on its merits" in state Supreme Court.

The lawsuit, filed by New York State and the Finger Lakes Health Systems Agency (FLHSA), was dismissed by Sixth Judicial Judge Charles B. Swartwood in a ruling dated June 20. Swartwood, in his 30-page decision, stated that "there are no facts to indicate that St. Joseph's Hospital was in violation of Article 28 of the New York State Public Health Law. The remaining actions against St. Joseph's, its administrator, board chairman and Scanner Diagnostics, PC, and Standard Scanners' Associates, of Rochester are dismissed on their merits."

In addition, Swartwood found that "the Finger Lakes Health Systems Agency lacks standing in court."

Earlier in the proceedings, he had allowed the agency to join the state in the suit.

The decision comes after nearly two years of controversy concerning the CT scanner placement, which was announced by St. Joseph's Aug. 31, 1978. At that time St. Joseph's stated its plans to lease space in the Medical Arts Building to house the sophisticated diagnostic device.

In announcing the court decision June 24, Sister Martha Gersbach, hospital administrator and a defendant in the suit, commented that "we are gratified that the position taken by St. Joseph's from the beginning is now upheld in the ruling by a justice of the Supreme Court of the State of New York."

Father Calvo to Address ME Convention in Ithaca

Ithaca — Father Gabriel Calvo, the Spanish priest who developed marriage encounters and founded the Marriage Encounter movement, will be one of the featured speakers at a National Marriage Encounter convention July 18-20 at Ithaca College.

The convention is for the states of New York, Pennsylvania, and New Jersey.

National Marriage Encounter is an inter-faith, non-profit organization which sponsors encounter weekends for couples wishing to develop their marriage.



SISTER MARTHA

Hospital employees attending the press conference announcing the outcome applauded her statement.

At issue was whether St. Joseph's had violated Article 28 of the Public Health Law by not filing for prior approval for the scanner from the Health Department. That article requires hospitals to get state approval for projects in excess of \$100,000. St. Joseph's contends that they had agreed to lease space to a private corporation to operate a scanner, in an adjoining building, and not in the hospital, and therefore approval was not required.

The hospital's lawyer, William Dorr of the Rochester firm of Harris, Beach, confirmed that the suit against the hospital had been dismissed on its merits, and not on a technicality. Two previous lawsuits had been dismissed, one on a technicality. The other, which

requested a temporary injunction against operating the scanner, was dismissed by Judge Elizabeth Pine of Rochester who found no need for injunctive relief.

Dorr also explained that if the state or the FLHSA decides to appeal, they will have to file a notice of appeal within 30 days of the signing of the court order, which should come soon.

Anthony Mott, FLHSA executive director, noted his disappointment with the decision, and pointed out that the finding by Judge Swartwood that his agency did not have standing to sue conflicted with the statement by Judge Pine in the earlier case. Mott added that many factors go into a decision to appeal; the decision will be made after consultations with his lawyer, the state, and the agency's executive committee, which would have to decide whether or not to appeal the decision.

43 Graduate In Coming

Corning — Graduation exercises for Corning Catholic School South were conducted June 19 in St. Mary's Church. Diplomas were presented to 43 students completing eighth grade.

Several of the students received awards recognizing their accomplishments during the past year.

Karen Gruczkowski and John Havens received awards for the highest overall average, presented by St. Mary's Holy Name and Rosary societies.

Michael Austin received the math award; Thomas Murphy, science; Catherine Frey, history, presented by the Knights of Columbus; Meg Heiler and Rob Heiler,

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