

PUBLIC HEARING  
DANNY WARD – SPECIAL USE PERMIT  
MOVE HIS BUSINESS TO PALMYRA

The Public Hearing scheduled to be held on Thursday, August 27, 1998, at the Palmyra Fire Hall, East Main Street, Palmyra, to consider the application of Danny Ward for a special use permit to move his business from Macedon to the former Connex Grinding building at 2858 Palmyra-Marion Road, was called to order at 8:00 PM by Town Supervisor David C. Lyon.

Those present at this public hearing, in addition to the Town Board members included the following:

Rose Fredericksen, Palmyra	W. E. Diefenderfer, Palmyra
Jim & Mitzi Adams, Palmyra	Marvin D. Gaylord, Palmyra
Dan & Rhonda Ward, Palmyra	Bernadine Hutter, Palmyra
Francis Rush Sr., Palmyra	Evert Vander Molen, Palmyra
Robert Henning, Palmyra	Mr. & Mrs. Dart, Palmyra
Ray Leno, Palmyra	Dan Gilmore, Palmyra
Patty Diaz, Palmyra	Millie DePew, Palmyra
Bruce DePew, Palmyra	Kathie & Ray Wendt, Palmyra
Unknown, Palmyra	Steve Taber, Clyde
Ann Vingee-Taber, Sole Assessor	
Nelson F. Cook, Highway Superintendent	
J. Martin, Courier-Journal	Jim Burns, the Messenger
Patti Holdraker & Mike Butz, the Times	

The legal notice, as published in the Courier-Journal, was read by the Town Clerk.

Supervisor Lyon asked Mr. Ward to explain to those present just what he wanted to do. Mr. Ward stated that he has been in business in Macedon for three years. He said that he services motorcycles, ATVs, etc. and he needs to have a larger place to expand and keep up with his business. He has not had any problems with his neighbors at his present location.

Helmet Jung – The neighborhood has a quiet atmosphere now and he wants to keep it that way; he does not want motorcycles out there.

Bernadine Hutter – There has been a factory out there for several years now and that wasn't a problem and she feels that as long as he keeps it quiet on the weekends this won't be a problem either. Mr. Ward said that

he road tests on the public road away from the shop. The present neighbors have no problem with this.

Supervisor Lyon asked if he was sure he was only going to be open until 3PM on Saturday with no hours on Sunday. Mr. Ward said that was right.

Robert Grier, Code Enforcement Officer, reported that he had gone to the shop in Macedon and looked it over. He said he was favorably impressed with it. He said that it is crowded but that is why he needs a new place to expand.

Supervisor Lyon asked if anyone has any more questions or comments regarding this application. There being none he directed the Town Clerk to read the following recommendation from the Palmyra Planning Board:

DATE: August 18, 1998  
TO: Bev Hickman  
FROM: Dan Wooden  
RE: Ward Special Use Permit

During the August 10<sup>th</sup> Planning Board meeting the board recommended approval of the Special use Permit for Ward Performance. The following reasons were given for this recommendation:

1. Good use of the vacant building.
2. The Wards have been in business for a number of years in Macedon with no complaints from the neighboring property owners.
3. There was a motorcycle repair business in the area that operated with out any complaints.
4. The neighbor in attendance has no objections to the proposed use.
5. The hours of operation proposed in the application are acceptable.

The Planning Board Members recommended approval of the Special use Permit application, as submitted, by unanimous vote.

The following recommendation from the Wayne County Planning Board was then read into these minutes:

Robert Grier, ZEO  
Town of Palmyra  
201 East Main Street  
Palmyra, New York 14522

Re: Ward Performance  
2858 Palmyra-Marion Road

Tax Map Ref. No: 33112-00-467371  
Special Permit

Dear Bob,

At its regular meeting on July 29, 1998, the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the request for a special permit with the condition that hazardous material are disposed of properly.

If you have any questions concerning this decision, please do not hesitate to contact me.

Sincerely,  
Bret DeRoo  
Sr. Planner

Supervisor Lyon again asked if there were any more questions or comments regarding this application. There being none, he declared this public hearing closed at 8:08 PM.

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PUBLIC HEARING  
THE CREATION OF THE STAFFORD ROAD SEWER DISTRICT  
IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK STATE

The Public Hearing scheduled to be held on Thursday, August 27, 1998, at the Palmyra Fire Hall, East Main Street, Palmyra, New York, to consider the Creation of the Stafford Road Sewer District in the Town of Palmyra, was called to order by Supervisor David C. Lyon at 8:30 PM.

The same people were present as at the first public hearing held this evening.

The legal notice, as published in the Courier-Journal, was read by the Town Clerk.

Supervisor Lyon asked Tony Malone, MRB Group, to explain the project to those present. Mr. Malone stated that this project goes back to the improvements the Church of Jesus Christ of Latter Day Saints (Mormons) wants to make to their property at the end of Stafford Road, Palmyra. They would like to run two pipelines in the ground: a 2" line and a 4" line. The 2" line will be for the church's use, with the 4" line available to be tapped into if the residents of Stafford Road would like to be hooked in

at some point. They are also willing to pay the cost of \$280,000.00 to put said pipelines in.

Jim Burns – Daily Messenger – The residents out there will be allowed to tap in? Tony Malone – Yes – Anyone that has a immediate problem would be allowed to tap in immediately. Jim Burns – Are you a civil engineer Mr. Malone? Tony Malone – I am a licensed engineer.

Bruce DePew – Will the 4" line allow us to hook in? Mr. Malone stated that the 2" line would be sufficient to serve the church property and a few of the residents; the 4" line would be used if several of the residents decided to hook in.

Patty Diaz – Will the homeowners be advised of future development? Supervisor Lyon – Letters were sent out to all of the residents of Stafford Road for this project.

Bob Otto – A petition containing the signatures of 24 residents was given to the Board and read as follows:

We, the undersigned residents/taxpayers of Stafford Road, in the Town of Palmyra, NY, wish to express our disapproval of the petition to extend a sewer district down Stafford Road. We realize that there is no cost to the town or to the residents of the street, however, construction will take place over our properties without any added value to us. We wish a delay of this petition until further studies and or meetings can be held in this matter. We feel that if a sewer district was to be created, it should only be completed if beneficial to all residents of the street. We feel that we haven't been given sufficient notice in this matter, and that our current water line problems have NOT been resolved to our satisfaction.

(Followed by the 24 signatures)

Bob Otto – We tried to get water out there for years and now that we have it the pressure is not good. Supervisor Lyon – We are well aware of the pressure problems out there. The Village of Palmyra is making some improvements that should help the pressure problem a great deal. Next year the Town of Manchester will be putting in new lines that when they are tied together with Palmyra, you will have more pressure than you will ever need. Tony Malone – The Town of Manchester will be connected to the Town of Palmyra on both Canandaigua Road and on Stafford Road. Jana Martin – Courier-Journal – Will there be any additional cost? Mr. Malone – Yes, a grant will be needed.

Patty Diaz – What will the annual cost be for the residents?

Mr. Malone – The cost is estimated to be \$700 to \$800 per year based on a 25 year time frame. Patty Diaz – Will the residents have to pay for this even if they don't hook up? Mr. Malone – If a district is established and they live in that district, they will have to pay the cost of the line on their town and county taxes.

Fran Rush – Why a 2" and a 4" line? Mr. Malone – The capacity of the 2" line is sufficient for the church and a few residents, but if 40 residents want to hook in that 2" line would not be sufficient and we would have to switch over to the 4" line. While we are digging it is just as easy to put two lines in at the same time and not have to dig the whole thing up again if more residents decide to hook in later. Rush – Then this is being done only for the Mormons. Supervisor Lyon – At the moment yes, but it is the only way you will ever get sewers out there.

David Nussbaumer – What section of this line is going to be gravity fed? Mr. Malone – Most of the area on the south side of the hill.

Jana Martin – A lot of these people seem to think they were not given sufficient notice of this project. Supervisor Lyon – The legal notice was published in the Courier-Journal, which is our legal newspaper. Then all of the property owners on Stafford Road were sent a letter; that's more than we have to do, but we learned a lesson from our last project.

Betty Palmeteer – What side of the road will this line be on? Mr. Malone --It will be on the west side of the road within the town's right-of-way.

Ray Leno – If you should have large trees in the front of your house, will they be replaced if they are harmed? Supervisor Lyon – They don't get harmed. What they do is to dig as close to the root as possible without harming it and then they drive the pipe under it so that it won't be harmed. Angela Dart – Trees do topple. After the waterline went through, some trees toppled from the high winds.

Betty Palmeteer – Is this project going to go through no matter what we say? Supervisor Lyon – Not necessarily; the board has not made a final decision yet; but look at the big picture – a free sewer line.

Everett VanderMolen – What effect will this have on our assessment? Supervisor Lyon – None – the assessor says that assessments go by comparables. She said she does not raise assessments because of a sewer line or a water line.

Millie DePew – Why were we invited here? Supervisor Lyon – We got into trouble the last time we had a project going and did not invite the residents in to explain it to them. You were invited so that you would have first-hand information regarding this proposed sewer line.

Bob Otto – It's too expensive to hook in so it is only for the church. Mr. Malone - \$800.00 is a solid amount; are people prepared to pay \$800 per year?

Ray Leno – Why don't we apply for a grant now and see what happens before the project is started? Supervisor Lyon – If the board decides to go ahead with this, we don't want to hold everything up by having to wait to find out about a grant.

Bruce DePew – There is talk about a new church being built out there, is this being done because of that? Ken Graham – Church of Jesus Christ of Latter Day Saints – There will not be a church built out there because the historians will not allow us to build one there; there will be a church built elsewhere.

Angela Dart – If this is such a great democracy, why hasn't the whole neighborhood been invited to join in this project? You have striped them of their rights. Tony Malone – The Town has provided the flexibility of allowing the residents to think about this matter and to hook in at a later date; they are not preventing them from hooking in. Angela Dart – Why do they have to pay to hook in? Mr. Malone – Do you want the Mormons to pay for the whole thing?

Betty Palmeteer – When the church wanted water, the water district went in; now they want sewer and that is going to go in. Supervisor Lyon - The waterline out there was completely finished before the Mormons decided to hook into it.

Ray Leno – The Joseph Smith house is not even in the Town of Palmyra, why are we worried about it? We already let them change the road. Lynne Green – There are two sites on Stafford Road for visitors; the house and the grove across the road from the house. With visitors going back and forth across Stafford Road constantly during pageant time, it was a accident waiting to happen. These are historic sites and are better able to be preserved with the change in the road.

Bob Otto – Will this affect the tax base? Supervisor Lyon – no.

Angela Dart – Do these people have to be in the sewer district? Supervisor Lyon – No they do not. They could be a out-of-district user if they want to hook in and not be a part of the district, however, the rates are more for out-of-district users.

Millie DePew – It would have been nice if we had been asked if we were interested in a sewer district.

Bob DePew - Did you propose going down Rt. 21 and across to Stafford Road? Supervisor Lyon – Not exactly; this is our second way to get sewer; since the Rt. 21 project did not go this is the alternative plan; it all ties together.

Supervisor Lyon asked if there were any more questions. Bruce DePew – Will a petition be of any good? Supervisor Lyon – Of course; it will give the board an idea of where you stand on this project.

Supervisor Lyon again asked if there were any more questions or comments regarding this matter. There being none, he declared this public hearing closed at 9:35 PM.

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PUBLIC HEARING  
INCREASE AND IMPROVEMENT OF WATER FACILITIES  
\$650,000 BOND ISSUE

The Public Hearing scheduled to be held on Thursday, August 27, 1998 at the Palmyra Fire Hall, East Main Street, Palmyra, to consider the Increase and Improvement of Water Facilities to include a \$650,000.00 bond issue was called to order at 9:50 PM by Town Supervisor David C. Lyon.

Those present, in addition to the board members, included the same people that attended the previous hearing.

The legal notice, as published in the Courier-Journal, was read by the Town Clerk.

Supervisor Lyon asked Tony Malone, MRB Group, to explain to those present what the Town is trying to accomplish. Mr. Malone explained about the linking of the districts together, the storage project, the crossing of the canal and about connecting the present lines. He stated that the estimated cost of this project is \$1,200,000. The construction would probably start in the spring of 1999 and be completed later in 1999.

Supervisor Lyon asked for any comments or questions regarding this matter.

Deb Angel – Let me get this straight; there are surplus funds of \$150,000; the town has \$300,000 and the town has determined that there is still \$650,000 to be raised by serial bonds. The pay-off on the serial bonds will be determined from the assessments on all properties; is this correct? Supervisor Lyon – Only the property in the water districts will pay off the serial bonds. Deb Angel – Why does the legal notice say “if” \$650,000? Supervisor Lyon - \$650,000 is the maximum amount we will need, the final costs may come in lower than that. Deb Angel – How can you ask us to pay for that amount of a bond when most places are not ready for the year 2000? Are you ready for the year 2000? Most places aren't and everything is going to crash when it gets here. Mr. Malone –



Are you trying to say the year 2000 is going to ruin everything? Deb Angel – Have you tested all of your things for the Y2K ? I'm sure you haven't and you are going to be sorry.

Ray Leno – You were talking about excess funds; does that mean that some areas are over-taxed now? Supervisor Lyon – No, that means we haven't had a lot of repair work in some of the districts, which leaves them with excess funds. The debt service on the east and the central districts will continue until they are paid in full.

Bob Henning – Hammond Road residents paid \$1500 to sign up for water and yet the Village charges \$400; what is the difference?

Supervisor Lyon – The village is totally separate from the Town; they have their own water supply and the Town has to buy water from them and of course it is more expensive to the Town than to their own residents. Now that we contract with the Wayne County Water & Sewer Authority everyone will be paying \$1200 to hook in.

Bob Henning – Why do we need all new pipes? Supervisor Lyon – The only new pipes will be from North Creek Road and up to the storage tank.

Dan Dart – When the lines come in from the south to tie everything together, where will the water come from? Tony Malone – The water will still come from Canandaigua Lake. Dan Dart – Will our water rates go down? Supervisor Lyon – No change in the rates, but you will have proper fire flows. Rosemary Fredericksen - What will the pressure rates be? Tony Malone – The pressures will be regulated.

Rosemary Fredericksen – Does consolidated districts include the Village of Palmyra? Supervisor Lyon – The Village water lines and the Town water lines are completely separate entities. The only thing we have in common would be the pump station. Ms. Fredericksen – Will the residents be impacted by flooding of basements with the increased water pressure? Tony Malone – There is no reason this should happen.

Dan Gilmore – Your insurance costs will go down because of the pressure rates and this will benefit everybody and will make Palmyra a more attractive place to live. Lynne Green – This will also provide a alternative source of water for the Village of Palmyra. Dan Gilmore – This should help with the water advisories the village has occasionally.

Supervisor Lyon asked if there were any more questions or comments regarding this project. There being none, he declared this public hearing closed at 10:25 PM.

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REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, August 27, 1998 at the Town Office, 201 East Main Street, Palmyra, was called to order by Town Supervisor David C. Lyon.

Supervisor Lyon led those present in the Pledge of Allegiance to the Flag.

Upon roll call, the following board members were present:

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|----------------------|------------------|
| Town Supervisor -    | David C. Lyon    |
| Town Board Members - | David Nussbaumer |
|                      | Lynne Green      |
|                      | James Welch      |
|                      | Michael Lambrix  |

David Nussbaumer moved to approve the minutes of the July 16, 1998 and the July 23, 1998 Town Board Meeting as submitted.

Seconded by: Michael Lambrix                      Carried: Unanimously

The Board received the Supervisor's Monthly Report for filing.

COMMUNICATIONS

1. Letter from the Wayne county Youth Bureau – Appointment to the Youth Bureau
2. Letter from the Wayne County Job Fair
3. Letter from NYS Department of Health – Appointment of health Officer
4. Letter from Stuart I. Brown – 1997-98 Small Cities Grant

5. Letter from the NYS Office of the State Comptroller, Division of Municipal Affairs and the NYS Office for Technology – Teleconferences – Meet the year 2000
6. Notice from the Wayne County Bookkeeper's Assoc. – Seminar on Year 2000 Compliance
7. Conference Announcement from Partnerships for Environmental Improvement & Economic Development in NYS
8. Notice of Public Hearing from Wayne County Planning Board
9. Letter from NYS Department of Health RE: Approval – Water Supply Plans, Pedtke Storage Tank Transmission Main
10. Notice of Wayne County Rabies Clinic – Macedon Town Barns September 30<sup>th</sup> – 7PM – 9PM

## **REPORTS OF STANDING COMMITTEES**

### **Assessment Committee - Lynne Green, Chairman**

1. Assessor Update

Ann Vingee-Taber, Sole Assessor for the Town of Palmyra, submitted a written report that can be found in the file folder entitled "Assessor Update/Code Enforcement Officer Update" as kept with these minutes

Lynne Green moved to approve a training session for Elaine Herman, Clerk to the Assessor, at a cost not to exceed \$300.00.

Seconded by: David Nussbaumer Carried: Unanimously

### **Highway Committee - David Nussbaumer, Chairman**

1. Set public hearing date for Cablevision franchise

David Nussbaumer moved to set a public hearing date of September 24, 1998 at 7:00PM at the Wayne County Courthouse, 26 Church Street, Lyons, NY, to consider renewal of the cable television franchise for an additional term and bring the franchise into conformity with certain provisions of the Federal Cable Communications policy Act of 1984, as amended.

Seconded by: Michael Lambrix Carried: Unanimously

2. Approval for Nelson Cook to attend the annual conference sponsored by the Association of towns – Sept. 22 – 25 – Callicoon, NY - \$550.00

David Nussbaumer moved to approve a amount not to exceed \$550.00 for Nelson Cook, Highway Superintendent, to attend the annual highway conference sponsored by the Association of Towns being held Sept. 22-25 at Callicoon, NY.

Seconded by: Michael Lambrix Carried: Unanimously

**Planning Committee - James Welch, Chairman**

1. CEO Update

A verbal report was submitted by CEO Robert Grier along with asking permission to attend the annual conference in Corning, NY. James Welch moved to approve Robert Grier attend the annual conference in Corning, NY at a cost not to exceed \$280.00.

Seconded by: Lynne Green Carried: Unanimously

**Zoning Committee - Michael Lambrix, Chairman**

1. Ward Performance – Subject of Public Hearing

Michael Lambrix moved to approve the application for a Special Use Permit as applied for by Mr. & Mrs. Dan Ward, DBA Ward Performance at 614 Frey Road, Macedon, NY, to move his business to the former Connex Grinding building at 2858 Palmyra-Marion Road, Palmyra, with conditions to be set forth.

Seconded by: David Nussbaumer

Roll Call Vote : David Nussbaumer - Aye  
Michael Lambrix – Aye  
Lynne Green - Aye  
James Welch – Aye  
Supervisor Lyon – Abstain (Owns a similar business)

2. Mobile Home Park Inspections

Michael Lambrix moved to approve all of the six mobile home parks located in the Town of Palmyra for their yearly Mobile Home Park Permit to be drawn up and mailed out by the Town Clerk.

Seconded by: Lynne Green Carried: Unanimously

**AGENDA ITEMS**

1. Budget Adjustments

The following budget adjustments were moved by Supervisor Lyon:

<u>FROM</u>	<u>TO</u>
GENERAL TAX COLLECTOR / CONT EXP A1330.4 \$ 207.00	GENERAL TAX COLLECTOR/ EQUIP A1130.2 \$ 207.00
GENERAL CONTINGENCY ACCOUNT A1990.4 \$ 325.00	GENERAL BD OF ASSMNT REV A1357.1 \$ 325.00

CENTRAL WATER OPRATNS  
& MAINT FC8340.4 \$ 22.89

CENTRAL WATAER MISC  
EXP FC8310.103 \$ 22.89

Seconded by: Michael Lambrix Carried: Unanimously

2. Creation of Stafford Rd Sewer District – Subject of Public Hearing

The Board decided to reserve a decision on the creation of the Stafford Rd Sewer District until such time as a informational meeting can be held with the Stafford Road residents.

2A. Negative Declaration re: Stafford Road Sewer District

Lynne Green moved to declare a negative declaration regarding the Stafford Road Sewer District SEQR.

Seconded by: Michael Lambrix Carried: Unanimously

3. Certified state RE: Permissive Referendum on consolidation of water districts

The following statement was read into these minutes:

I, Beverly E. Hickman, Town Clerk, Town of Palmyra, County of Wayne, State of New York, do hereby certify that as of the close of my office on Monday, August 24, 1998, a petition for permissive referendum regarding the consolidation of all the existing water districts and extensions thereto of the Town of Palmyra into a consolidated water district to be known as the Palmyra Consolidated Water District has not been filed.

Beverly E. Hickman  
Town Clerk

3A. Negative Declaration RE: Consolidation of Wtr Districts

Michael Lambrix moved to declare a negative declaration regarding the consolidation of water districts SEQR.

Seconded by: Lynne Green Carried: Unanimously

4. Increase and Improvement of Water Facilities, \$650,000 Bond – Subject of Public Hearing

**ORDER**

At a meeting of the Town Board of the Town of Palmyra, Wayne County, New York, held at Palmyra Fire Hall, East Main Street, Palmyra, New York, on the 27" day of August, 1998 at 8:00 P.M., Daylight Savings Time, a meeting was called to order by Supervisor, David Lyon, and upon roll being called, there were the following present:

- DAVID LYON, SUPERVISOR
- DAVID NUSSBAUMER, COUNCILPERSON
- LYNNE GREEN, COUNCILPERSON
- JAMES T. WELCH, COUNCILPERSON
- MICHAEL LAMBRIX, COUNCILPERSON

The following Resolution was offered by Michael Lambrix who moved its adoption, seconded by David Nussbaumer. to wit:

**BOND RESOLUTION DATED AUGUST 27, 1998.**

**A RESOLUTION AUTHORIZING THE INCREASE AND IMPROVEMENT OF WATER FACILITIES TO THE WATER DISTRICTS IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK, AND THEIR EXTENSIONS THERETO, AND AUTHORIZING THE ISSUANCE OF \$650,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.**

**WHEREAS**, by proceedings heretofore duly had and taken pursuant to Article 12 of the Town Law, the Town Board of the Town of Palmyra, Wayne County, New York, has duly established the consolidation of the Town of Palmyra Water Districts and extensions thereto to wit: North Water District and Extensions 1 through 6 inclusive; South Water District and Extension 1; East Water District; and Central Water District and Extensions 1 through 3 inclusive, in said Town; and

**WHEREAS**, it is now desired to authorize the increase and improvement of water facilities proposed for said water districts and extensions thereto and provide for the financing thereof in accordance with said proceedings.

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

Section 1. The construction of the improvements proposed for the water districts and extensions thereto in the Town of Palmyra, Wayne County, New York, consisting of a 1,000,000 gallon storage reservoir, meters and meter vaults interconnection with the Town of Manchester, easements and site acquisition, including, but not limited to water mains, storage facilities, distributing pipes and hydrants and borings, with appurtenant facilities, substantially in accordance with the map and plan filed in the Town Clerk's Office for said water district Improvements, it is hereby authorized at a maximum estimated cost of \$650,000.

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$650,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law. The serial bonds will be amortized by annual payments which will be apportioned among the individual water districts and extensions thereto in the proportion that the assessed value of each water district with extensions bears to the total assessed valuation of all water districts and extensions thereto in the Town.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to subdivision "1" of paragraph "a" of Section 1 1.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five (5) years.

Section 4. The faith and credit of said Town of Palmyra, Wayne County, New York, are hereby irrevocable pledged to the payment of the principal of an interest an such bonds as the same become

due and payable. There shall annually be assessed upon all the taxable real property in all of the water districts and extensions thereto at the same time and in the same manner as other Town charges an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

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

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

1. Such bonds are authorized for an object for purpose for which said town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
3. Such bonds are authorized in violation of the provisions of the Constitution.

Section 7. This Resolution, which takes effect immediately, shall be published in full in the *Courier Journal*, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Supervisor, David Lyon	Voting Aye
Councilperson, James Welch	Voting Aye
Councilperson, Lynne Green	Voting Aye
Councilperson Michael Lambrix	Voting Aye
Councilperson David Nussbaumer	Voting Aye

The Resolution was thereupon declared duly adopted.

I hereby certify that the above is a true and exact copy of a Resolution pertaining to the authorization of the increase and improvements of the water facilities to serve the water districts in the Town of Palmyra, Wayne County, New York, and their extensions thereto and authorizing the issuance of \$650,000 serial bonds of said Town to pay the cost thereof on file in the office of the Town Clerk of the Town of Palmyra.

Dated at Palmyra, NY this  
3<sup>rd</sup> day of September, 1998

This Resolution published herewith has been adopted on the 27<sup>th</sup> day of August, 1998 and the validity of the obligations authorized by such Resolution may be hereafter contested only if such obligations

were authorized or an object or purpose for which the Town of Palmyra is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

Beverly E. Hickman, Town Clerk

5. Appointment of Health Officer

David Nussbaumer moved to appoint Alan Lorenz, MD, as Health Officer for the Town of Palmyra for a term of four years; expiring in September of the year 2002.

Seconded by: Lynne Green      Carried: Unanimously

6. Set Budget Workshops

The board set Thursday, September 10, 1998, as the first budget workshop meeting.

Following a review of the claims and expenditures submitted for payment, Michael Lambrix moved to approve payment of same as shown on Abstract #8 with totals as follows:

<u>Account</u>	<u>Invoice #</u>	<u>Amount</u>
General	266-304	\$ 9,441.75
Part Town	141-152	\$ 1,007.90
DA Highway	150-162	\$ 3,166.61
DB Highway	52-68	\$37,581.39

Seconded by: James Welch      Carried: Unanimously

Lynne Green moved to go into executive session to discuss matters of personnel.

Seconded by: Michael Lambrix      Carried: Unanimously

Supervisor Lyon declared this board out of executive session.

David Nussbaumer moved to adjourn this meeting of the Town Board.

Seconded by: Michael Lambrix      Carried: Unanimously

Respectfully submitted,

Beverly E. Hickman  
Town Clerk