

PUBLIC HEARING

Proposed Local Law #2 of 1998 entitled
 "A Local Law Amending the Zoning Map of the Town of Palmyra
 to Create a Light Industrial District"

The Public Hearing scheduled to be held on June 11, 1998, at the Palmyra Fire Hall, East Main Street, Palmyra, NY, to consider proposed Local Law #2 of 1998 entitled "A Local Law Amending the Zoning Map of the Town of Palmyra to Create a Light Industrial District" was called to order at 8:00 PM by Town Supervisor David C. Lyon.

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

Those present, in addition to the Town Board members, included:

Donna Camblin, 3192 E. Foster Street
 Donald Camblin, 1878 Meadow Drive
 Sylvia Harding, 4702 North Creek Road
 Ann & Ray Leno, 994 Canandaigua Road
 Elaine Hartnagel, 445 Stafford Street
 Michael Tonovitz, 2871 Shilling Road
 Betty Hyman, 127 Canandaigua Street
 Linda Ingram, 123 Canandaigua Street
 Robert Henning, 1130 Canandaigua Road
 George & Shirley Tilburg, 4320 Rt. 31
 Patty Diaz, 1129 Canandaigua Road
 Herta Freling, 921 Rt. 21S
 Joan Verstringhe, 865 Rt. 21 S
 Geraldine Verstringhe, 865 Rt. 21 S
 Angela Dart, 875 Canandaigua Road
 Rose Frederiksen, 1020 Canandaigua Road
 Arthur J. Daughton, 1 South Townline Road
 Wilson E. Dieffenderfer, 1160 Canandaigua Road
 Kurt Salomon, 149 Brookside Terrace
 Dave & Amy Peek, 1062 Canandaigua Road
 Doris Wolf, Gannett Newspapers
 Nelson F. Cook, Highway Superintendent
 Robert Grier, Code Enforcement Officer
 Marty Aman, MRB Group

Supervisor Lyon asked those present to identify themselves prior to asking their question or making their comments.

Patty Diaz – Why are we including the Mertz property? Supervisor Lyon - We have kept the same description as the proposed sewer district; they should be compatible.

Donna Camblin – Have the private residents been removed from the district? Supervisor Lyon – Yes they have been ; it only consists of three properties now.

Michael Tonovitz – I hope this goes through. It is necessary for both short and long term growth for the Town of Palmyra.

Patty Diaz – That is a good point, but the people in this area do not want this. We are not transients, we are there for the rest of our lives and we just do not want this thing on Rt 21S.

Clifford Mertz – It seems foolish to me when the person owning the property doesn't want to sell for a industrial park.

Rose Frederiksen – The thruway is not the only reason for trucks; 31F has a lot of trucks and they are not coming from the thruway.

Patty Diaz – The trucks will have to enter and exit from someplace and so will the employees. The schools are right on this road and in my opinion that is a problem.

Supervisor Lyon – We have discussed this with the schools and they do not object to this project. You have to keep in mind that Rt 21 is a main road through Palmyra.

Patty Diaz – Main road or not, it is not a healthy environment for a industrial park.

Betty Hyman – I am also concerned about the traffic flow at the school. I live across the street from the school and I know the traffic is really bad around 3:00 PM.

Arthur Daughton – I have some questions I would like to have answered and a letter I would like to read into these minutes from the

Finger Lakes Farm Bureau. The letter reads as follows:

April 17, 1998
Mr. Clifford Mertz
67 Johnson Road
Palmyra, NY 14522

Dear Mr. Mertz,

Thank you for your phone call this morning regarding the zoning and assessment issues you are facing in Palmyra. As I mentioned on the phone Section 305-A of the Agriculture and Markets Law

prohibits a town from enacting any law or regulation that would restrict agriculture unless they can prove that the health and safety of the citizens are in jeopardy. In my opinion, changing the zoning from agriculture and residential to heavy industrial would severely constrain your ability to expand. Under the new zoning designation, your farm, and the activities associated with it, would be considered a non-conforming use. While existing activities would be grandfathered, any expansion of those activities would be prohibited.

I am enclosing a copy of the Agriculture and Markets Law, which also has information on the Agricultural Assessment. As I mentioned, the land and building have to be assessed based on current use rather than highest and best use. Let me know if I need to get you further information. I also mentioned to you, Bob Somers with the Department of Agriculture and Markets. His department is responsible for administering and enforcing the Agriculture and Markets Law as it pertains to Agricultural Districts. He can be reached at the Division of Agricultural Protection and Development Services, 1 Winners Circle, Albany, New York 12235. His phone number is 518-457-7076. I hope this information is useful to you. Should you need additional help, please let me know.

Sincerely,
Mark James
Executive Director

Daughton continued: That \$50,000.00 that was being given by the Mormans, is that for a sewer or for a Morman project? Supervisor Lyon – That is for the Joseph Smith property on Stafford Road.

Angela Dart – The master plan was not reviewed by the Wayne County Planning Board; the neighbors were not notified; there is already poor drainage out there; this is not in the best interest of the town. Leave the green spaces alone and use the brown spaces for this project.

Patty Diaz – There are about 32 homes in the south corridor and it does seem that 32 post cards could have been sent out to us. Supervisor Lyon – We have already addressed this. Diaz – We were given wrong answers; incorrect information; it seems that the pain and suffering of the neighbors should be considered.

Angela Dart – I have been told that the minutes do not have any of our comments regarding that last public hearing. Beverly Hickman, Town Clerk – That is because when Arthur Daughton came into my office he looked at the minutes from the May 14, 1998 meeting instead of the May 28, 1998 meeting. The minutes you are referring to consist of ten pages; eight of those pages are from the public hearing you are questioning. Dart

– I am still trying to find out why a statement we read at one of the meetings did not get into the minutes. Supervisor Lyon – Again let me explain; if your statement was read before the actual call to order, it is not part of the minutes. The minutes consist only of what happens after the call to order. You have the Rules of Procedure, it is in that document.

Patty Diaz – How can you ask for \$400,000.00 when it is not going to help any of the people? Supervisor Lyon – It will help the town to mature and grow.

Supervisor Lyon asked if there were any more comments or questions that we had not already discussed. There being none, he declared this public hearing adjourned until such time as the SEQR could be reviewed by the engineers. Advance notice will be given when it will be called back to order.

.....

PUBLIC HEARING
PROPOSED CONSOLIDATION OF ALL WATER DISTRICTS
IN THE TOWN OF PALMYRA

The public hearing scheduled to be held on Thursday, June 11, 1998 at the Palmyra Fire Hall, East Main Street, Palmyra, NY, to consider the proposed consolidation of all water districts in the Town of Palmyra was called to order at 8:30 PM by Town Supervisor David C. Lyon.

Supervisor Lyon asked Marty Aman, MRB, to explain what we are trying to do.

Mr. Aman explained that the town basically has four water districts; North, South, East and Central, plus extensions. The Central Water District will retain it's own debt as will the East Water District. There are some expenses coming up for the tank site, proposed crossing of the canal and two meter vaults to be installed. These expenses should be

shared by all of the districts. The administrative benefits to the town should also be considered.

Supervisor Lyon asked for comments and/or questions from those present regarding this proposal.

Angela Dart – Will new debts affect my water rates? Marty Aman – A debt service charge is shown on your tax bill only; it has nothing to do with your water rates. You may see a increase in your debt service however. Supervisor Lyon explained that the proposed cost of these projects is \$990,000.00. Of that amount, Wayne County Water & Sewer Authority will pay \$100,000.00 of the additional costs based on savings over the lifetime of the tank; \$150,000.00 will come out of the town's part town funds and \$70,000.00 in local state aid will be coming in. A typical property in the Town of Palmyra will pay approximately \$50.00 per year increase. Dart – How do industries pay for this? Aman – They pay per assessed value just like everyone else does. Supervisor Lyon – It is important to know that everyone pays for indebtedness, even churches and schools. Aman – The Town will probably be able to get a low interest rate, like 6 % or less. The applications are still pending; we didn't make the first part and have to just wait. Dart – If this is implemented first, can we still get a grant? Aman - Yes we can. Dart – What advantage will this be to me? Aman – Water pressure and fire protection mainly. Dart – What will my rate be? Supervisor Lyon – That depends on the indebtedness amount.

Nelson Cook – Don't we already have requests for more water lines? Supervisor Lyon – Yes. Cook – The more assessment, the lower the cost.

Dave Peek – Is a pump station good enough to increase pressure? Marty Aman – A pump station is one way to increase pressure; a tank high enough for gravity feed instead of pumping would be better. Supervisor Lyon – We considered going cross-country from the high school, but it would be too costly. Peek – Will this additional pressure

cause problems for homeowners? Aman – Pressure reducer valves are included. We are not talking large changes that could blow out your lines.

Peek – Is this a storage tank mainly? Aman – No, this water will be used.

George Tilburg – Where is the hill you are talking about?

Supervisor Lyon – It is on the Pedtke property way back from the road so it will not be very visible.

Donna Camblin – What is the time frame for this project?

Supervisor Lyon – Early spring – summer of 1999.

Dave Peek – How many people usually bid on this kind of work?

Aman – I would guess at maybe twenty bidders.

Supervisor Lyon asked if there were any more questions or comments that had not been discussed. There being none, he declared this public hearing closed at 9:10 PM.

.....

WORKSHOP MEETING OF THE TOWN BOARD

The workshop meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, June 11, 1998, at the Palmyra Fire Hall, East Main Street, Palmyra, was called to order at 9:20 PM 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:

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

David Nussbaumer moved to approve the minutes of the May 14, 1998 Town Board Meeting as submitted.

Seconded by: Michael Lambrix Carried: Unanimously

Michael Lambrix moved to approve the minutes of the My 28, 1998 Town Board meeting as submitted.

Seconded by: David Nussbaumer Carried: 4 Ayes (Lynne Green abstained because she was absent at this meeting.)

AGENDA ITEMS

1. Proposed Sewer District #1 of Town of Palmyra – First description including 9 properties.

Michael Lambrix moved to rescind the proposed Sewer District #1 of the Town of Palmyra that included nine (9) parcels of property and by petition, the residents called for a permissive referendum vote.

Seconded by: James Welch
Carried by roll call vote as follows:

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

2. Proposed consolidation of water districts (Subject of Public Hearing)

The following resolution was moved by David Nussbaumer:

BE IT RESOLVED THAT, the Town of Palmyra initiate the environmental review process under the State Environmental Quality Review Act (SEQRA) for the Consolidation of Existing Water District by requesting Lead Agency status, and that the Supervisor of the Town of Palmyra be, and he hereby is authorized to execute the Lead Agency request, that shall include the Full Environmental Assessment Form (EAF), request letter, and a response form; and the Supervisor of the Town of Palmyra shall cause such documents to be circulated to the Involved Agencies as identified, copies of which shall be attached to these minutes; and that the Supervisor be, and he hereby is, further authorized to take such action as will facilitate the SEQRA process.

Seconded by: Michael Lambrix Carried: Unanimously

3. 1998 Water Projects

The following resolution was moved by Lynne Green:

BE IT RESOLVED THAT, the Town of Palmyra initiate the environmental review process under the State Environmental Quality Review Act (SEQRA) for the 1998 Water Improve Projects (Construction of a 1 Million Gallon Water Storage Tank and Waterline Installation with Canal Crossing) by requesting Lead Agency status, and that the Supervisor of the Town of Palmyra be, and hereby is authorized to execute the Lead Agency request, that shall include the Full Environmental Assessment Form (EAF), request letter, and a response form; and the Supervisor of the Town of Palmyra shall cause such

documents to be circulated to the Involved Agencies as identifies, copies of which shall be attached to these minutes; and that the Supervisor be, and he hereby is, further authorized to take such action as will facilitate the SEQRA process.

Seconded by: Michael Lambrix Carried: Unanimously

4. Petition presented to Board by Sylvia Harding RE: Hopkins Cemetery

The following petition was presented to the Board:

PETITION REGARDING HOPKINS CEMETERY

Concerning old cemetery at the corner of North Creek and Lyon Road, Town of Palmyra:

Excerpt from Town Law 291; "It shall be the duty of the Town Board to remove the grass and weeds from any such cemetery or burial ground in any such town at least three times in each year, and to erect and maintain suitable fences around such cemetery or burial ground at a cost not to exceed five hundred dollars."

We, the undersigned, request the Town of Palmyra to maintain the above named cemetery:

This petition contained seventy-nine signatures.

Supervisor Lyon told Mrs. Harding that he is in the process of trying to work with the Village Cemetery Department to help maintain the town cemeteries but nothing has been arranged as yet; the town may have to hire the work done. He will get back to her when he has a solution.

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

Seconded by: Michael Lambrix Carried: Unanimously

Respectfully submitted,

Beverly E. Hickman
Town Clerk