

Town of Palmyra - Minutes

1997



ORGANIZATIONAL MEETING FOR 1997

The Organizational Meeting of the Town Board of CALL TO ORDER the Town of Palmyra held on Thursday, January 2, 1997 at the Town Office, 201 E. Main Street, Palmyra, was called to order at 7:30 PM by Town Supervisor David C. Lyon.

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

Upon roll call, the following Town Board members ROLL CALL were present:

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

Others present at this meeting included:

- Mary Lou Carrier
- Erika Culp
- Stephen Carrier
- Shelley Turney
- Britney Turney(child)
- David Pulver
- Mary L. Cotterman
- Ed Rice
- Roland Chapman
- Roxanne D. Kachel
- Elaine Hartnagel - the TIMES
- Gary Rose - Palmyra Animal Control Officer
- Nelson F. Cook - Highway Superintendent
- John Carrier
- Ric Briggs
- Kevin Carrier
- Brandon Turney(child)
- Kevin Carrier Jr.(child)
- R. H. Cotterman
- Chris Vanderwall
- Dale Young
- ?
- George Kachel

The following appointments were made by Town SUPRVSR APPNTMNTS

Supervisor David C. Lyon:

- Deputy Supervisor ----- David Nussbaumer
- Clerk to the Supervisor ---- Petra Anderson
- Secretary to the Supervisor - W. Virginia Wilson
- Town Historian ----- Robert Lowe

COMMITTEE APPOINTMENTS

- Highway Committee - Chairman - David Nussbaumer
(To include Master Plan Committee Representative)
- Planning Committee - Chairman -
(To include Buildings)
- Zoning Committee - Chairman - Michael Lambrix
- Assessment Committee - Chairman - Lynne Green
(To include Master Plan Committee Representative)

The following appointments and salaries were moved by MIN TO SET APPNTMNTS & SALARIES

Michael Lambrix:

TITLE	NAME	SALARY
Deputy Supervisor	David Nussbaumer	\$ -NONE
Budget Officer	David C. Lyon	\$ 604 yr
Town Historian	Robert Lowe	\$ 150 yr
Town Constable	Gary Rose	\$fee rmborsmt

ORGANIZATIONAL MEETING

JANUARY 2, 1997

TITLE	NAME	SALARY
Zoning Enforcement Officer & Bldg Inspctr	Robert Grier	\$32,999 yr
Deputy Zoning Officer & Bldg Inspector	Dan Wooden	\$10,405 yr
Animal Control Officer & Rabies Responder	Gary Rose	\$ 5,780 yr
Deputy ACO & Rabies Responder	Michelle Rose	\$ -NONE-
Water Dist Cashier	Beverly E. Hickman	\$ 1901 yr
Deputy Town Clerk	Catherine Contant	\$19,760 yr
Deputy Town Clerk	W. Virginia Wilson	\$ 9.00 hr
Deputy Town Clerk	Sue Anne Regis	\$ 9.00 hr
Office Clerk (to be responsible for Bldg & Zoning fees only)	Robert Grier	\$ -NONE-
Computer Prog. Admin	Catherine Contant	\$ 4,000 yr
Clerk to the Supervisor	Petra Anderson	\$ 8.50 pr hr thru June then \$9.00 pr hr
Secretary to the Supervisor		
Registrar (thru 1999)	W. Virginia Wilson	\$ 9.00 pr hr
Deputy Registrar	Beverly E. Hickman	\$fee rmbmsmt
Acct Clk to Assessor	Catherine Contant	\$fee rmbmsmt
Deputy Highway Supt	Elaine Herman	\$18,000 yr
Bingo Inspector	Fred Lawson	\$ 14.25 pr h
Health Officer (19999)	Alan Lorenz, MD	\$10.00 pr oc
Voting Machine Custodian	County Appted	per statute
Voting Machine Custodian	County Appted	\$150 pr occa
Election Inspectors(ea)	County Appted	\$150 pr occa
Court Clerks (each)	Helga Haak	\$5.50 pr hr
	Terry Marchbanks	\$3900 pr yr
Secretary to Zoning Board, Plng Bd & Zong Offcr/Bldg Inspctr		\$
Clerk to Hiwy Supt.	Karen Yantz	\$7.85 pr hr
Hourly rates for Town Highway Crew -		
	Deputy Superintendent	\$14.25 pr hr
	Equipment Operator	\$13.36 pr hr
	Truck Driver	\$12.03 pr hr
	Mower Man	\$ 8.00 pr hr
	Seasonal Help	\$ 8.50 pr hr

Seconded by: David Nussbaumer Carried: Unanimously

MIN TO SET
MILEAGE RATE

David Nussbaumer moved to set the rate for mileage at \$.30 per mile.

Seconded by: Michael Lambrix Carried: Unanimously

MIN TO
DESIGNATE
OFFL NEWSPR

Michael Lambrix moved to designate the official newspaper for the Town of Palmyra be the Courier-Journal.

Seconded by: David Nussbaumer Carried: Unanimously

Michael Lambrix then moved to designate Town

MIN TO
DESIGNATE TN
BD MTG NIGHTS

Board meeting nights as follows:

- 2nd Thursday of month - Workshop mtg if needed
- 4th Thursday of month - Regular business meeting with the following exceptions:
- Second meeting in April & October to be held in East Palmyra
- November '97 meetings will be the 6th and Tuesday, November 25th
- December '97 meetings will be the 11th and Monday, December 29th

Seconded by: David Nussbaumer Carried: Unanimously

David Nussbaumer moved to designate the following as official depositories for the Town of Palmyra:

- Marine Midland Bank N/A
- Chase Manhattan N/A
- M & T Trust Company
- Key Bank
- Fleet Bank
- Chemical Bank
- Ontario National

MTN TO SET
OFFICIAL
DEPOSITORIES

Seconded by: Michael Lambrix Carried: Unanimously

MTN TO PAY
PRIOR TO
AUDIT

Michael Lambrix moved to pay utilities, hospitalization, payrolls, postage, disability insurance, social security, retirement, and Wayne County Water & Sewer Authority prior to audit.

Seconded by: David Nussbaumer Carried: Unanimously

David Nussbaumer moved to set the price of gravel at a cost no to exceed \$1.50 per cubic yard.

MTN TO SET
PRICE OF
GRAVEL
APPOINTMENTS
RETROACTIVE

Seconded by: Michael Lambrix Carried: Unanimously

Lynne Green moved to make all appointment and salaries retroactive to January 1, 1997.

Seconded by: David Nussbaumer Carried: Unanimously

David Nussbaumer moved to adopt the Rules of Procedure.

MTN TO ADOPT
RULES OF
PROCEDURE

Seconded by: Michael Lambrix Carried: Unanimously

Michael Lambrix moved to appoint Lynne Green as the Delegate and David Nussbaumer as the Alternate to the Association of Towns Meeting to be held in February 1997.

MTN TO APPT
DELEGATE &
ALTERNATE

Seconded by: David Nussbaumer Carried: Unanimously

Michael Lambrix moved to authorize check signing as follows:

MTN TO AUTH
CHECK SIGNING

David C. Lyon OR David Nussbaumer
AND
Beverly E. Hickman OR Catherine Contant

Seconded by: David Nussbaumer Carried: Unanimously

Michael Lambrix moved to set January 23, 1997 at the date for this Board to audit the books of Judge Abbott, Judge Rodman, Supervisor Lyon and Town Clerk Beverly Hickman for the calendar year 1996.

MTN TO SET
DATE TO AUDIT
BOOKS

Seconded by: David Nussbaumer Carried: Unanimously

David Nussbaumer moved to approve the relevy of

ORGANIZATIONAL MEETING

JANUARY 2, 1997

MIN TO APV
REL. EVY. OF
WATER

water as follows:

- 1994 in the amount of \$1,986.60
- 1995 in the amount of \$2,637.70
- 1996 in the amount of \$5,702.07

MOTION TO
RECESS

Seconded by: Michael Lambrix Carried: Unanimously

Michael Lambrix moved to recess this

Organizational Meeting to hold the scheduled Public
Hearing.

Seconded by: David Nussbaumer Carried: Unanimously

.....

CALL TO ORDER

Public Hearing
Proposed Amendment to Junkyard Ordinance

The public hearing scheduled for Thursday,
January 2, 1997 to consider the proposed amendment to
the Town of Palmyra Junkyard Ordinance was called to
order at 7:40 PM by Town Supervisor David C. Lyon.

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

Supervisor Lyon asked those present for any
comments, either for or against the proposed
amendment.

Kevin Carrier - Does this pertain to 3785 Trolley
Road? Is this something new?

Supervisor Lyon - Yes, this is something new and
it pertains to every property in the Town of Palmyra,
not just Trolley Road.

Mary Lou Carrier - The junkyard is pre-existing
no matter how it is zoned now, so will this apply to
that property?

Supervisor Lyon - This will pertain to every
parcel of property in the Town of Palmyra.

Mary Lou Carrier - If the people here want a
junkyard, can it stay?

Robert Grier, CEO - This amendment, if passed,
will limit area to industrial zones only; of course a
zoning variance could be applied for.

Mary Cotterman - Since 1983 the Trolley Road

property has been a junkyard; we have looked at it every day. Who is going to clean it up if not Kevin?

Chris Vanderwall - Why were we led to believe this was a junkyard?

Robert Grier - When Bill Hood had the property it was a licensed junkyard. Since then applications have come in and temporary arrangements have been made, but no junkyard license has been approved.

Mary Lou Carrier - Was there a denial to Kevin's application?

Robert Grier - Yes, Kevin's application was denied the same day he applied.

Kevin Carrier - I applied for a junkyard license in January of 1993 and a denial did not follow, nor were the proper guidelines followed by this Town Board. Why are we changing the junkyard ordinance at this time?

Supervisor Lyon - This change is necessary to be sure all things fit in with the character of the neighborhoods and the new master plan.

Mary Lou Carrier - What about the grandfather law?

Robert Grier - It is not a junkyard to be grandfathered. Legally one year without a permit and all special uses are gone.

Kevin Carrier - There is nobody trying to have a junkyard but me.

Robert Grier - There is no property in the Town of Palmyra that is a legally licensed junkyard.

Supervisor Lyon - We will get back to you, Kevin, regarding your personal problem just like I told you at the last meeting.

Mary Lou Carrier - Do you mean that the people here cannot influence the outcome of this amendment?

Supervisor Lyon - We will listen and consider any and all comments regarding this amendment.

Mary Cotterman - I would very much like to have

the Trolley Road property cleaned up by somebody, it doesn't matter who.

Mary Lou Carrier - The tax statement for the Trolley Road property says salvage facility.

Kevin Carrier - What am I going to do with this property if this amendment goes through, now that I bought it?

Shelly Turney - The Town needs this junkyard and this Town Board has been against Kevin personally since the beginning.

Mary Lou Carrier - Asked for a show of hands from those that wanted the Trolley Road junkyard. Many of those present were in favor of a junkyard.

Dale Young - Not everybody makes \$32,000 per year, or even \$10,000; it is nice to be able to go to a junkyard for parts.

Supervisor Lyon asked if there were any more comments regarding this amendment. There being none, this public hearing was closed at 8:00 PM by Supervisor Lyon.

PUB HEARING
CLOSED

Supervisor Lyon declared this Town Board back into session and declared a five minute recess.

DCLRD BACK
INTO SESSION
& RECESS

Supervisor Lyon called this meeting of the Town Board back to order.

CALL BACK
TO ORDER

The following resolution was moved by Michael Lambrix:

BE IT RESOLVED, that Section 7 of the Junk Yard Ordinance will be amended to read as follows:

MTN TO AMND
SEC 7 OF THE
JUNKYARD ORD

Section 7 - Location Requirements - No salvage yard, junk yard or similar facility shall be located in any area of the Town except those areas zoned for industrial use. At the time and place set for the hearing, the Town Board shall hear the applicant and all other persons wishing to be heard on the application for a certificate of approval for the location of the junk yard in an industrial zone. In passing upon same, it shall take into account, after proof of legal ownership or right to such use of the property for the license period by the applicant, the nature and development of surrounding property, such as the proximity of churches, schools, hospitals, public

ORGANIZATIONAL MEETING

JANUARY 2, 1997

buildings or other places of public gatherings; and whether or not the proposed location can be reasonably protected from affecting the public health, and safety by reason of offensive or unhealthy odors or smoke, or of other causes.

BE IT FURTHER RESOLVED, that the Amendment of Section 7 of the Junk Yard Ordinance of the Town of Palmyra will take effect ten (10) days after the posting and publication of this Notice that the Amendment of the Ordinance has been adopted.

BE IT FURTHER RESOLVED, that the Town Clerk shall publish Notice of the adoption of the Amendment of Section 7 of the Junk Yard Ordinance in the Town Newspaper and post a Notice of the same on the Town Clerk's Bulletin Board.

MIN CARRIED

MIN TO ADJRN

BY ORDER OF THE TOWN BOARD OF THE TOWN OF PALMYRA.

Seconded by: Lynne Green Carried: Unanimously

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

Seconded by: Michael Lambriz Carried: Unanimously

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman
Town Clerk

REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, January 23, 1997 at the Town Office, 201 E. Main Street, Palmyra, was called to order at 7:30 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

Town Supervisor - David C. Lyon
Town Board Members - David Nussbaumer
Michael Lambrix

Absent: Town Board Member - Lynne Green

Others present at this meeting of the Town Board were:

Nelson F. Cook, Superintendent of Highways
Robert A. Grier, Code Enforcement Officer
Elaine Hartnagle, the TIMES
Doris Wolf, the DEMOCRAT & CHRONICLE
Robert K. Jagger George Tilburg
Mike Yusko Bill Melcher
Nathan Day Robert Seeley
Robert C. Morgan Richard Bump

COMMUNICATIONS

1. NYS Pre-retirement Seminar

Supervisor Lyon noted the details of the One Day Pre-Retirement Seminar for Local Government Employees, and that the information is available for review in the Town Clerk's Office.

NYS PRE-RETIREMENT SEMINAR

2. Wayne County Planning Board - Personal Communications Structures

Supervisor Lyon read a letter from the Wayne County Planning Board notifying County Supervisors and Mayors of a consultant team assembled by the County to address the issue of Personal Communications Structures. The team will develop recommendations and forward to the appropriate agencies and municipalities.

WAYNE CTY PL. BOARD - PERSONL COMMUN. STRUCT-

At 7:34 pm Supervisor Lyon introduced Joe SanFilippo and Robert Morgan to those present, and allowed them to address the Board as requested. He reminded all that this is not a public hearing and

J. SANFILIPPO AND ROBERT MORGAN TO ADDRESS BOARD

that Mr. SanFilippo and Mr. Morgan were simply keeping the Board informed of their progress on the Canalside Estates project.

Mr. SanFilippo gave an update and reported they were proceeding with the project. He passed out the park rules and regulations and a map of the proposed development. Both will be available for review at the Town Clerk's Office.

At 7:46 pm Supervisor Lyon thanked the gentlemen for their report, and continued with the business meeting.

REPORTS OF STANDING COMMITTEES

HIGHWAY COMM. REPORT

Highway Committee - David Nussbaumer, Chairman

1. Highway Superintendent Update

Nelson Cook reported on the status of the combined Town and Village Highway Departments; all running smoothly. The Village sidewalks are now being plowed, and some damage to a sidewalk by the plowing will be taken care of. Snow plowing routes in the Town and the Village have been worked out, and the new routes provide better efficiency and less duplication. Mr. Cook also said the Village highway barn on Division Street will be removed, with half going to the Kent Street location, and the other half to Parks and Cemetery. The Town and Mr. Cook have received recommendations to rectify minor infractions found by Occupational Safety and Hazard Administration (OSHA), and these infractions are being repaired.

Councilmember Nussbaumer reported he has met with the Village liaison for the Highway Department, and all are satisfied with the operations at this time.

ZONING COMM. UPDATE

Zoning Committee - Michael Lambrix, Chairman

1. Code Enforcement Officer Update

CODE ENFORCEMENT UPDATE

The Board accepted the CEO's report for filing. Mr. Grier reported 8 permits issued for a total of \$1680.40 in revenue for January. Mr. Grier also reported his desire to coordinate the Town and Village Planning Board meetings with the Wayne County Planning

Board meeting dates, so as to provide a speedier application process. This would require moving the meeting date of the Town and Village boards at the Village Hall to the first ten days of the month, and preferably the same evening, one right after the other. The Board agreed this plan would be a good move, and directed the CEO to follow up.

- 2. Establish cash drawer for CEO - \$50

Michael Lambrix moved to establish a petty cash fund for the Code Enforcement Officer to make change when receiving payment for applications and hearing fees.

Seconded by: David Nussbaumer Carried: Unanimously

MTN TO ESTABLISH CASH DRAWER FOR ZON. OFF.

MTN CARRIED

- 3. Finger Lakes Building Officials Educational Conference - March 24-26

Michael Lambrix made a motion to authorize the Code Enforcement Officer to attend the FLBOA Conference in Rochester, NY from March 24 through 26, 1997 and to pay the costs incurred by same not to exceed \$295.00.

Seconded by: David Nussbaumer Carried: Unanimously

MTN TO AUTH. ZON. OFF. TO ATTEND FLBOA CONFERENCE

MTN CARRIED

AGENDA ITEMS

- 1. Town Board Member appointment

David Nussbaumer made a motion to appoint James T. Welch to the Town Board to complete a term vacated by Robert Grier, subject to Mr. Welch's resignation from the Town of Palmyra Planning Board.

Seconded by: Michael Lambrix Carried: Unanimously

MTN TO APPT NEW TOWN BRD. MEMBER

MTN CARRIED

- 2. Board of Assessment Review appointment

Michael Lambrix made a motion to appoint Bradley Griffith to the Town Board of Assessment Review for a term of five years to expire on September 30, 2001.

Seconded by: David Nussbaumer Carried: Unanimously

MTN TO APPT BOARD OF ASSESSMENT REVIEW MBR.

MTN CARRIED

- 3. Wayne County Water and Sewer Authority Update

Supervisor Lyon reported on the joint meeting of the four Towns at Walworth. The long-term water agreement was reviewed and finalized for approvals by all concerned at the first meeting in February.

WCWSA UPDATE

- 4. Water storage tank

Supervisor Lyon reminded the Board of an Option to

WATER STORAGE
TANK - PEDTKE
PROPERTY

Purchase Agreement the Town has with Daniel Pedtke and Mary Bolton for land on North Creek Road to be used for a water storage tank. This option expires July 1, 1997, and Mr. Lyon spoke of the necessity of water storage with the growth of the water districts. With the intended expansion of the Central Water District this year, this tank becomes more necessary than ever. Michael Lambrix moved to exercise the Town's option to acquire the Pedtke & Bolton property for the purpose of building a water storage tank, and to order MRB Group, the Town's engineers for the water project, to prepare a survey and plans for same.

MTN TO AUTH
OPTION TO PRCHSE
PEDTKE PROPERTY
FOR WATER STORAGE

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

5. Library contract

MTN TO APPROVE
LIBRARY CONTRACT

David Nussbaumer made a motion to approve a one-year contract for services with the Palmyra King's Daughters Free Library for the term of January 1, 1997 to December 31, 1997 in the amount of \$18,000.

MTN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

6. East Palmyra Fire Department contract

MTN TO APPROVE
CTRCT WITH E. PAL.
FIRE DEPT.

David Nussbaumer made a motion to approve a three-year contract for services with the East Palmyra Fire Department. The term runs from January 1, 1997 to December 31, 1999. In 1997 the contract pays \$20,000, in 1998 \$21,000 and in 1999 \$22,000. The contract will be on file in the Town Clerk's Office and available for review.

MTN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

7. Palmyra Volunteer Ambulance contract

MTN TO APPROVE
PALMYRA VOL. AMB.
CTRCT.

David Nussbaumer made a motion to approve a one-year contract for services with the Palmyra Volunteer Ambulance Service for the term of January 1, 1997 to December 31, 1997 in the amount of \$8,000.

MTN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

8. Transfer of funds

MTN FOR XFER OF
FUNDS

The following fund transfers were moved by Supervisor Lyon:

REG TOWN BOARD MEETING

JANUARY 23, 1997

<u>FROM</u>		<u>TO</u>	
General Cont.		General Tn Bd Cont. Exp.	
A1990.4	\$7655.57	A1010.4	\$7655.57
DA Highway Mach Equip.		DA Hwy Machinery Contr.	
DA5130.2	\$8000.00	DA5130.4	\$8000.00

Seconded by: David Nussbaumer Carried: Unanimously

Lynne Green arrived at 8:05 pm, and Supervisor Lyon asked for an Assessment Committee report.

ASSESSMENT COMM. REPORT

Assessment Committee - Lynne Green, Chairman

1. Assessor Update

The Assessor's report was received for filing in the Town Clerk's Office.

ASSESSOR UPDTE

Following a review of the expenditures and claims, David Nussbaumer moved to approve payment of same as shown on Abstract #1 with totals as follows:

MTN TO APPROVE PMT. FOR ABSTR. #1

<u>Account</u>	<u>Voucher #</u>	<u>Amount</u>
General Fund	1 - 33	\$20,566.34
Part Town Fund	1 - 12	\$ 1,874.13
Highway III & IV	1 - 18	\$26,813.50
Highway I	1 - 4	\$ 965.00
North Wtr Dist.	1 - 3	\$ 4,003.13
South Wtr Dist.	1	\$ 712.00
East Water Dist.	1	\$ 216.00
Central Water Dist.	1 - 5	\$ 7,807.49

Seconded by: Michael Lambrix Carried: Unanimously, with the exception of Supervisor Lyon voting no Voucher #1 of DB Highway.

MTN CARRIED

The motion to adjourn this meeting of the Town Board was offered at 8:09 PM by David Nussbaumer, seconded by Michael Lambrix and carried unanimously.

MTN TO ADJOURN

MTN CARRIED

Respectfully submitted,
Catherine C. Contant
Catherine C. Contant
Deputy Town Clerk

TOWN BOARD WORKSHOP MEETING WITH BUSINESS

The Workshop meeting scheduled to be held on Thursday, February 13, 1997 at the Palmyra Town Office was called to order at 7:30 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

Town Board members present were Supervisor David Lyon and Councilmembers David Nussbaumer, Lynne Green, Michael Lambrix and James Welch. In addition to the Town Board members, the following were also present:

Robert A. Grier, Code Enforcement Officer
Bruce & Donna Parsons

COMMUNICATIONS

1. Ontario National Bank Reception

The Town Board is invited to the Reception to be held on Wednesday, February 26 from 5 to 7 PM at 544 East Main Street. The Bank is opening their Palmyra Branch on Tuesday, February 18, 1997. As Supervisor Lyon and Board Members Green, Lambrix and Welch indicated they would attend, the Town Clerk will RSVP for them.

ONTARIO NATIONAL
BANK RECEPTION

2. Letter from Stephen Hanagan

The Deputy Town Clerk paraphrased a letter to the Town Board from Stephen Hanagan, resident of 2248 Maple Avenue. Mr. Hanagan wants to know when his driveway is going to be repaired, as it has been two years since the waterline was put in, and it is not right yet. Supervisor Lyon referred the matter to the Highway Committee for follow-up.

LETTER FROM STEVE
HANAGAN - RE:
DRIVEWAY REPAIR

AGENDA ITEMS

1. Accept resignation of James Welch as member of the Planning Board of the Town of Palmyra

Supervisor Lyon moved to accept the resignation as submitted to the Town Clerk effective January 27, 1997 of James Welch from the Planning Board so that he may accept the position on the Town Board of the Town of Palmyra.

RESIGNATION OF
JAMES WELCH FROM
PLANNING BOARD

Seconded by: David Nussbaumer Carried: Unanimously

RESIGNATION
ACCEPTED

2. Approval of minutes from December 12, 15 and 26, 1996

MINUTES APPROVAL

MOTION TO
ACCEPT MINUTES
OF 12/12, 15 & 26

Mr. Nussbaumer moved to accept the Board Minutes of the December 12, 15 and 26 meetings as submitted by the Deputy Town Clerk.

MTN APPRVD

Seconded by: Michael Lambrix Carried: 4 ayes, with Mr. Welch abstaining.

NEGATIVE DECL.
SEQR - LONG TERM
AGREEMENT W/
WCW&SA

3. SEQRA Negative Declaration Long Term Agreement with WCW&SA

Supervisor Lyon introduced the following resolution and asked for a motion to approve:

MTN TO APPROVE
RESOLUTION

WHEREAS, the Town of Palmyra is contemplating entering into a lease agreement with the Wayne County Water and Sewer Authority, pursuant to which the Town will lease its water system to the Authority for the Authority to operate and maintain, and

WHEREAS, the entering into and performance of such a lease, for purposes of the application of the State Environmental Quality Review Act (SEQRA) is not clearly and action, or, if it is an action, may be a Type II action, and

WHEREAS, if this activity is an action and is not a Type II action under SEQRA, then it is an unlisted action requiring review under SEQRA, and

WHEREAS, the Town has decided to review the activity as though it is an unlisted action; and

WHEREAS, the Town has reviewed the Short Environmental Assessment prepared by the Town and has presented it at this meeting and has reviewed the criteria for determining significance set out in 6 NYCRR 617.7(b);

NOW, THEREFORE, BE IT RESOLVED

1. That the entering into the lease agreement with the Wayne County Water and Sewer Authority will have no adverse environmental effects and, therefore, no significant adverse environmental impacts, and

2. That the Town Supervisor of the Town of Palmyra be, and he hereby is, authorized to execute the Negative Declaration and such other documents, and cause them to be filed and published, as required by law and regulation, and to do such other acts as may be necessary or advisable to facilitate the SEQRA process.

Mr. Nussbaumer moved to accept the resolution executing a Negative Declaration for the long term Agreement with the Wayne County Water and Sewer Authority.

MTN CARRIED

Seconded by: Lynne Gree Carried: Unanimously

4. Long Term Agreement with WCW&SA

LONG TERM AGRMT
W/ WCWSA

Supervisor Lyon informed all present the long term agreement with the Water Authority and the surrounding

has been completed. The Town of Marion has

approved the contract; Palmyra and Macedon are scheduled to vote on it tonight, and Walworth next week. The resolution is subject to a thirty (30) day referendum period. He then read the following:

WHEREAS, the Wayne County Water and Sewer Authority has proposed to the Towns of Walworth, Macedon, Marion and Palmyra that the Authority lease the existing water systems of the Towns and become responsible for the operation and maintenance of the respective town systems, pursuant to an Agreement with a duration of twenty (20) years and with the right to extend for an additional period of twenty (20) years; and

WHEREAS, the lease of the existing water system is pursuant to Section 198 of the Town Law; and the consideration for the lease is the Authority taking direct and primary responsibility for the operation and maintenance of the Town of Palmyra water system. The lease is subject to the Authority being able to lease the water systems of Walworth, Macedon and Marion also. The lease is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

The following Resolution was moved by Lynne Green, seconded by David Nussbaumer and carried unanimously.

RESOLUTION

ACCEPTED

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Palmyra does hereby approve the proposed Agreement between the Wayne County Water and Sewer Authority and the Town of Palmyra as filed with the Town Clerk on February 13, 1997, providing for the lease, operation and maintenance of all the Town of Palmyra existing water systems for a period of twenty (20) years, which lease is renewable for an additional period of twenty (20) years.

BE IT FURTHER RESOLVED, that the Town Clerk shall cause a Notice of the action of the Town Board approving the Agreement to be published in the Town's official newspaper all pursuant to Article 7 of the Town Law; and

BE IT FURTHER RESOLVED, that in the event a proper Petition for a referendum is not received, that the Supervisor of the Town of Palmyra be authorized to execute the Agreement with the Wayne County Water and Sewer Authority.

5. Approval to hire Bernard P. Donegan, Inc. Mr. Nussbaumer made a motion to retain the services of Bernard P. Donegan, Inc. as financial advisor to the Town of Palmyra on the Central Water District Ext. No. 1 project.

MIN TO HIRE
B. DONEGAN
AS FINANCIAL
ADVISOR FOR WCD

LINE (EXT. #1)

Seconded by: Lynne Green

Carried: Unanimously

MIN CARRIED

6. No petition filed, Central Water District Ext. No. 1

NO PETITION FILED
CWD EXT #1

Supervisor Lyon announced no petition had been filed

WORKSHOP MEETING WITH BUSINESS February 13, 1997

during the permissive period of the Establishment of Central Water District Ext. No. 1, and directed the Deputy Town Clerk to file an affidavit to that effect.

MIN TO ESTABLISH
WORKING FUND FOR
CWD EXT. 1

7. Establish CWD Ext. No. 1 Fund

Supervisor Lyon moved to establish a working fund from Part-Town Fund Balance for the Central Water District Extension No. 1.

Seconded by: David Nussbaumer Carried: Unanimously

MIN CARRIED

8. Transfers

MIN FOR TRANSFERS

Supervisor Lyon moved the following transfer, seconded by David Nussbaumer and carried unanimously.

MIN CARRIED

	<u>FROM</u>		<u>TO</u>
General Part-Town Fund Bal	B909	\$108,000	HC Cap Proj CWD Ext No.1 HC201 \$108,000

MIN TO ADOPT BOND
RESOLUTION - CWD
EXT. #1

9. Bond Resolution - CWD Ext. No. 1

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

BOND RESOLUTION DATED FEBRUARY 13, 1997

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A WATER DISTRIBUTION SYSTEM TO SERVE PALMYRA CENTRAL WATER DISTRICT IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK, AND AUTHORIZING THE ISSUANCE OF \$350,000 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 Central Water district in said Town; and

WHEREAS, it is now desired to authorize the construction of the improvements proposed for said Water District 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 Extension No. 1 of the Central Water District in the Town of Palmyra, Wayne County, New York, consisting of a water distribution system, including water main, storage facilities, distributing pipes and hydrants, with appurtenant facilities, substantially in accordance with the map and plan accompanying the petition for said District, is hereby authorized at a maximum estimated cost of \$350,000 (Exhibit 1 - Engineers' Report filed at Town Office).

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$350,000 serial bonds of said Town hereby authorized to be issued therefore pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 27 years, pursuant to subdivision 2, paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed 5 years.

Section 4. The faith and credit of said Town of Palmyra, Wayne County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same become due and payable. There shall annually be assessed upon all the taxable real property in said Extension No. 1 to the Central Water District at the same time and in the same manner as other Town charges an amount sufficient to pay said principal and interest as the 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 and 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 Fiscal 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 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 on roll call, which resulted as follows:

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

ROLL CALL VOTE

The resolution was thereupon declared duly adopted.

RESOLUTION
ADOPTED

10. Temporary camping trailer

Bruce and Donna Parsons addressed the Board with their request for a permit for a temporary trailer. They

TEMP. CAMPING
TRAILER

are considering buying an existing concrete structure on leased New York State canal land on Route 31 East, and would like to bring in a 12' x 32' trailer for their personal use in the summer months. Mrs. Green asked if they intend to remove the trailer each winter and replace it upon applying for a new temporary permit each spring. She was told this was not feasible due to the size of the trailer. Mr. Lambrich reviewed the Mobile Home Ordinance with CEO Robert Grier, and stated the intended use does not appear to comply with the Zoning Ordinance. The Board agreed with the finding, and Mr. and Mrs. Parsons thanked them.

11. Request to NYS Legislature to combine Town and Village Planning and Zoning Boards

REQUEST TO NYS
LEGISLATURE TO
COMBINE TOWN &
VILLAGE PLANNING
BOARD

Supervisor Lyon read the following resolution and asked for a motion to approve:

WHEREAS, the Town of Palmyra and the Village of Palmyra are attempting to reduce taxpayers' costs and increase service to taxpayers by consolidating services; and

WHEREAS, the Town Board of the Town of Palmyra has been informed and believe that there are certain legislative restrictions that prevent the creation of a single Zoning Board of Appeals and a single Planning Board to serve for the entire Town of Palmyra, including the Village of Palmyra;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Palmyra does hereby petition the New York State Legislature to remove any and all possible legislative limitations preventing a single Zoning Board and a Single Planning Board from acting for the Town and for the Village within the boundaries of the Town.

Motion to adopt the resolution was made by Michael Lambrich, seconded by David Nussbaumer and carried unanimously.

MTN CARRIED

11. Appoint Temporary Office Clerk

APPOINT TEMP.
OFFICE CLERK

Supervisor Lyon reminded the Board of the necessity of hiring temporary office help while Town Clerk Beverly Hickman remains out on disability. The Board had previously agreed to advertise for applicants, and Deputy Town Clerk Cathy Contant reported receiving six applications. After reviewing and interviewing all suitable candidates, she recommended offering the

position to Gwendolyn A. Wachter, who is currently working as the clerk to the Code Enforcement Officer. The work schedule would be developed by the Code Enforcement Officer and Deputy Town Clerk so as to avoid conflicts.

MIN TO ESTABLISH
TOWN CLERK
POSITION

David Nussbaumer moved to establish the position of Temporary Office Clerk for the Town Clerk's Office and set the rate of pay at \$7.00 per hour.

MTN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

David Nussbaumer then moved to appoint Gwendolyn A. Wachter to the position of Temporary Office Clerk for the Town Clerk's Office, effective immediately.

Seconded by: Michael Lambrix Carried: Unanimously

SINGLE AUDIT
REPORT

12. Receipt of Single Audit Report and Dec. 31, 1995 General Purpose Financial Statements

Supervisor Lyon announced the Single Audit Report for the Central Water District Project and the December 31, 1995 General Purpose Financial Statements had been received from Raymond F. Wager's office, and each Board Member has a copy. He then read the following resolution and asked for a motion to adopt same:

MIN TO ADOPT
RESOLUTION

WHEREAS, the Town's independent auditor has rendered a General Purpose Financial Statement and a Single Audit Report for the calendar year 1995; and

WHEREAS, the By-Laws state:

- A. The reports must be filed with
 - 1. New York State Emergency Management Office.
 - 2. National Clearinghouse for Single Audit Reports.
- B. Notice of the availability of the Report for inspection must be published by the Town's newspaper.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk shall cause the Reports to be mailed to the appropriate offices and that a legal notice be published in the Town newspaper within ten (10) days that the Report is available for inspection at the Town Clerk's Office during hours that the Town Clerk's Office is open.

Moved to adopt by: Michael Lambrix

MTN CARRIED

Seconded by: David Nussbaumer Carried: unanimously

12. Audit of Town Clerk's Books for 1996

AUDIT OF TOWN
CLERK'S BOOKS

Supervisor Lyon asked the Board to review the

WORKSHOP MEETING WITH BUSINESS February 13, 1997

Town Clerk's cash receipts books, deposit slips, bank statements and cash journal. After inspection of same, the Board agreed all appeared satisfactory.

MIN TO ADJOURN

David Nussbaumer moved to adjourn this meeting of the Town Board at 8:50 PM.

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

Respectfully submitted,

Catherine C. Contant

Catherine C. Contant
Deputy Town Clerk

REGULAR TOWN BOARD MEETING

FEBRUARY 27, 1997

REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, February 27, 1997 at the Town Office, 201 E. Main Street, Palmyra, was called to order at 7:30 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

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

Absent: Town Board Member - Michael Lambrix

Others present at this meeting of the Town Board held during a power outage were:

Robert A. Grier, Code Enforcement Officer
Ann Vingee-Taber, Sole Assessor
Steve Taber

David Nussbaumer moved to approve the minutes of the Town Board meetings of January 2, 1997, January 23, 1997 and February 13, 1997 as submitted.

MTN TO APPROVE MINUTES OF 1/2, 1/23, & 2/13/97

Seconded by: Lynne Green Carried: Unanimously, with the exception of Mr. Welch abstaining from the votes on the minutes of January 2 and January 23, 1997.

MTN CARRIED

The Supervisor's Monthly Report was accepted for filing by this Town Board.

SUPERVISOR'S MONTHLY REPORT

COMMUNICATIONS

1. Lead Poisoning Training
2. Last Bash Request
3. Satellite Conference - "What EVERY Elected Official Should Know!"

COMMUNICATIONS

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

ASSESSMENT COMM REPORT

1. Assessor Update

Ann Vingee-Taber, Sole Assessor, reported to the Board her office has been very busy filing exemptions, and since the exemption due date (Taxable Status Date) of March 1 falls on Saturday, she has extended the

deadline to Monday, March 3, 1997. Approximately 500 pictures of properties are left to be taken to complete the data collection project.

Ms. Vingee-Taber then requested the Board accept the recommendation to purchase a computer system from Gateway 2000 out of five proposals received, as submitted by Deputy Town Clerk Cathy Contant. Ms. Vingee-Taber advised the Board that using the new computer to network with her clerk's existing computer, along with the software upgrades from New York State, will bring her office up to date with current technology.

MIN TO PURCHASE
COMPUTER

Lynne Green made a motion to purchase the computer system, along with a duplicate system for the Justice Office from Gateway 2000 at a cost not to exceed \$1793.00 each.

MIN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

Highway Committee - David Nussbaumer, Chairman

1. Mr. Nussbaumer advised the Board that due to the power failure he would discuss the roads plan as prepared by Nelson Cook at another meeting. He also said Ed Wheeler went to the Wayne County Cable Commission meeting, and will report next time.

Planning Committee - James Welch, Chairman

MOTION TO APPROVE
PLANNING BOARD
APPOINTMENT

1. Planning Board Appointment

James Welch moved to appoint Kenneth F. Miller to fill the vacancy on the Town Planning Board for a term to expire December 31, 1999.

MOTION CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

AGENDA ITEMS

WCWA UPDATE

1. Wayne County Water Authority Update
Supervisor Lyon reported the Town of Marion, as well as Palmyra, has approved the long-term agreement while the Towns of Walworth and Macedon are scheduled to do so at their respective meetings tonight.

BOOKS AUDIT FOR
SUPERV. & JUSTICE

2. Audit books of the Supervisor and Justice Abbott for 1996

Supervisor Lyon asked the members of the Board to audit the books and to voice any questions or

concerns. After review, David Nussbaumer moved to approve the audit of the books of Supervisor David Lyon and Justice William Abbott for the fiscal year 1996.

MIN TO APPROVE BOOKS AUDIT

Seconded by: Lynne Green Carried: Unanimously MIN CARRIED

3. Temporary Assignment of Justices

Supervisor Lyon advised the Board of a memo from the Unified Court System, Seventh Judicial District requesting cooperation in the temporary assignment of Justices. David Nussbaumer moved to approve the temporary assignment of Town Justices to preside in other town/village courts in the Seventh Judicial District as need arises during the year 1997 and approved the temporary assignment of judges from other town/village courts in the Seventh Judicial District to its court as need arises during the year 1997.

MIN TO APPROVE TEMPORARY ASSIGNMENT OF JUSTICES

Seconded by: Lynne Green Carried: Unanimously MIN CARRIED

4. Port Gibson Fire Contract - 1997

Lynne Green moved to approve a one-year contract for fire protection with the Port Gibson Fire Department in the amount of \$2000 for the fiscal year ending December 31, 1997.

MIN TO APPROVE FIRE CONTRACT W/ PORT GIBSON FIRE DEPT.

Seconded by: David Nussbaumer Carried: Unanimously MIN CARRIED

5. Resignation of Zoning Clerk

Lynne Green moved to accept the resignation of Sue Regis as clerk for the Zoning Office, effective February 28, 1997 as submitted to Town Clerk Beverly E. Hickman.

MIN TO ACCEPT RESIGNATION OF ZONING CLERK

Seconded by: David Nussbaumer Carried: Unanimously MIN CARRIED

6. Tower Report

Mr. Welch and Mr. Lambrix are reviewing the Personal Communications Structures report from Wayne County, and will report their findings to the Board at a later date.

TOWER REPORT

7. Erie Canal Corridor Initiative

Lynne Green moved to approve and authorize the Supervisor to sign the application for a Small Cities Grant and Section 108 Loan Guarantee Assistance in

ERIE CANL CORRID INITIATIVE

MIN TO AUTH SUPERV. TO SIGN FOR SMALL GRANT & LOAN ASSISTANC

FEBRUARY 27, 1997

cooperation with Wayne County, as submitted by Stuart I. Brown Associates, Inc.

MIN CARRIED

Seconded by: James Welch

Carried: Unanimously

Following a review of the expenditures and claims, David Nussbaumer moved to approve payment of same as shown on Abstract #2 with totals as follows:

MIN TO APPROVE
PMT OF CLAIMS
ON ABSTR. #2

<u>Account</u>	<u>Voucher #</u>	<u>Amount</u>
General Fund	34 - 71	\$10,424.75
Part Town Fund	13 - 33	\$ 2,807.87
Highway III & IV	19 - 57	\$43,902.08
Highway I	5 - 7	\$ 1,378.55
North Wtr Dist.	4 - 5	\$ 3,802.55
South Wtr Dist.	2 - 3	\$ 774.24
East Water Dist.	2 - 3	\$ 240.26
Central Water Dist.	6 - 9	\$ 7,411.57
HC Ext #1	1 - 5	\$37,632.24

MIN CARRIED

Seconded by: Lynne Green

Carried: Unanimously

Zoning Committee - Michael Lambrix, Chairman

1. Code Enforcement Officer Update

CODE OFFICER
UPDATE

The Board accepted the CEO's report for filing.

At 8:00 PM David Nussbaumer moved to go into

MIN TO GO INTO
EXEC. SESSION

executive session to discuss matters of litigation.

Seconded by: Lynne Green

Carried: Unanimously

MIN CARRIEDOUT OF EXEC. SESS.

Supervisor Lyon declared this Board out of

executive session at 8:40 PM.

The motion to adjourn this meeting of the Town

MIN TO ADJOURN

Board was offered at 8:40 PM by Lynne Green, seconded

MIN CARRIED

by David Nussbaumer and carried unanimously.

Respectfully submitted,

Catherine C. Contant

Catherine C. Contant
Deputy Town Clerk

REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, March 27, 1997 at the Town Office, 201 E. Main Street, Palmyra, was called to order at 7:45 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

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

Others present at this meeting of the Town Board were:

Robert A. Grier, Code Enforcement Officer
John Dibert, 2536 Creek Rd., Palmyra
Bob Nageldinger

David Nussbaumer moved to approve the minutes of the Town Board meetings of February 27, 1997 as submitted.

MTN TO APPROVE MINUTES OF 2/27/97

Seconded by: James Welch Carried: Unanimously

MTN CARRIED

The Supervisor's Monthly Report was accepted for filing by this Town Board.

SUPER'S MONTHLY REPORT

COMMUNICATIONS

1. East Palmyra Fire Department inquiry - driveway water problem
2. NYS Dept of Labor youth summer job program
3. NYS Office of Real Property Services - Residential Assessment Ratio = 99.27 for July 1, 1995 to June 30, 1996
4. Letter to Town Board from Geraid Wheaton RE: lawn clean-up not finished from water line installation August 1995
5. VFW Annual Fire Fighter's drill breakfast invitation for April 20, 1997 at 9:30.
6. Pal-Mac High School Shadowing Program - Randy Way to spend March 25 in the Town Offices to observe.
7. NYS Dept of Public Service - Regional Seminar April 17, Radison Inn, Rochester. Topic: Cable television regulation and the industry.

COMMUNICATIONS

REPORTS OF STANDING COMMITTEE:

Assessment Committee - Lynne Green, Chairman

1. Assessor Update

ASSESSOR UPDATE

The Assessor's report was received for filing in the

Town Clerk's Office.

Highway Committee - David Nussbaumer, Chairman

HIGHWAY UPDATE

1. Mr. Nussbaumer advised the Board that Time-Warner intends to install fiber-optic lines and extend channels for its cable system in Palmyra this year.

PLANNING UPDATE

Planning Committee - James Welch, Chairman

1. Mr. Welch reported a final approval on a one lot subdivision, with sketch plans submitted.

2. Supervisor Lyon announced the receipt of copies of the draft Master Plan and set Thursday, April 10 at 7:30 at the Town Office as a Workshop to discuss same.

ZONING UPDATE

Zoning Committee - Michael Lambrich, Chairman

1. The Code Enforcement Officer's report was received for filing in the Town Clerk's Office.

AGENDA ITEMS

RESOLUTION -
LATERAL RESTRICTIONS
CWD EXT #1

1. Resolution: Lateral Restrictions Central Water District Extension No. 1

The following resolution was moved for approval by Michael Lambrich, seconded by David Nussbaumer and

MTN FOR APPROVAL carried unanimously:

MTN CARRIED

WHEREAS, the Town of Palmyra has established a new water district extension to be known as the Central Water District Extension No. 1 to serve areas of the Town that are desperately in need of a good potable water supply; and

WHEREAS, the proposed Water District Extension and facilities must of necessity include some areas that are in Agricultural Districts (as defined for agricultural tax exemption) and contain land that is being used for farming; and

WHEREAS, the Town of Palmyra desires to protect the land for farming and to implement this policy and adopt a policy prohibiting the connection to district water facilities of new residential parcels on agricultural lands in existing Agricultural Districts.

NOW, THEREFORE, be it Resolved:

1. That all connection to new residential facilities built on agricultural lands which are included in an existing Agricultural District are prohibited after January 1, 1998.

2. This resolution shall apply so long as the new residential parcel is in an Agricultural District. The Agricultural District encompassing the Town of Palmyra is subject to renewal in 1998.

2. Resolution: Ownership & Maintenance of Central Water District Ext. No. 1 lines

The following resolution was moved for approval by David Nussbaumer, seconded by Michael Lambrix and carried unanimously:

MTN FOR APRVL
RESOLUTION

MTN CARRIED

WHEREAS, the Town of Palmyra proposes to construct Central Water District Extension No. 1 located on Route 21 North and South, Vienna Road and Hanley Road; and

WHEREAS, the water main system will be owned by the Town of Palmyra upon completion; and

WHEREAS, the water main system will be constructed on State-owned lands using existing right-of-ways and maintained by the Town of Palmyra.

NOW, THEREFORE, BE IT RESOLVED that the Town of Palmyra in coordination with the Wayne County Water & Sewer Authority by separate Agreement will have the Water Authority maintain or cause to be maintained the system.

3. Resolution: Set fees for Freedom of Information Law Search Fees

The following resolution was moved for approval by David Nussbaumer, seconded by Michael Lambrix and carried unanimously:

MTN FOR
RESOLUTION

MTN CARRIED

WHEREAS, the Town of Palmyra in compliance with the Freedom of Information Law has provided access to the Town's records as provided therein, and

WHEREAS, a majority of the applicants seeking information have generally been unable to delineate the information that is desired, and

WHEREAS, the applicants for information are requesting personal attention from the Town employees, and

WHEREAS, the Town is incurring additional costs to assist these applicants.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Palmyra shall seek reimbursement from the applicant who has failed to delineate the items needed to perform global searches, and

BE IT FURTHER RESOLVED that the Town shall charge a fee of \$12.00 per hour to perform global searches from records of the Town which are available to the public under Article 6 of the Public Officers Law. There shall be no fee for a search where the identification of the item is specified with clarity so that it could be readily found.

The search fee shall be in addition to the statutory fee for copying the information.

This Resolution shall take place immediately.

4. The following fee schedule for application fees for connection to the Central Water District

MIN TO APPROVE
FEE SCHEDULE FOR
CWD CONNECTIONS

Extension No. 1 was moved for approval by David Nussbaumer, seconded by James Welch and carried unanimously:

UNTIL June 30, 1997 ----- \$1000.00
THEREAFTER ----- \$1500.00

5. Resolution: Assignment of Water Contract with Village of Palmyra to Wayne County Water & Sewer Authority

MIN FOR APRVL
OF RESOLUTION

The following resolution was moved for approval by David Nussbaumer, seconded by Lynne Green and carried unanimously:

WHEREAS, the Town of Palmyra has contracted with the Wayne County Water & Sewer Authority for the operation of the Town's water system, and

WHEREAS, the Town of Palmyra contracts with the Village of Palmyra for the Village of Palmyra to supply water to certain portions of the Town's water system by a contract dated August 10, 1995, and

WHEREAS, the administration and maintenance of the Town of Palmyra water system requires that the Wayne County Water & Sewer Authority be a party to the supply contract between the Village of Palmyra and the Town of Palmyra dated August 10, 1995, and

WHEREAS, the Wayne County Water & Sewer Authority has agreed to assume the responsibilities and receive the rights of the Town of Palmyra in the contract for water supply between the Town and Village of Palmyra dated August 10, 1995, subject only to the conditions contained in a certain service agreement between the Wayne County Water & Sewer Authority and the Town of Macedon, Marion, Palmyra and Walworth dated April 1, 1995, and

WHEREAS, the Village of Palmyra has consented to the transfer of the rights and liabilities of the Town of Palmyra in the water supply contract dated August 10, 1995, subject only to the conditions contained in the service agreement with the Wayne County Water & Sewer Authority dated April 1, 1995.

NOW, THEREFORE, BE IT RESOLVED that the Town of Palmyra does hereby approve the transfer of its rights and liabilities in the water supply contract dated August 10, 1995, to the Wayne County Water & Sewer Authority and the Town of Macedon, Marion, Palmyra and Walworth to be effective on the approval of the transfer by the Village of Palmyra and the Wayne County Water & Sewer Authority whichever date shall be last.

6. Transfer of funds

The following fund transfers were moved by Supervisor Lyon, seconded by David Nussbaumer and carried unanimously:

MIN TO APPROVE
TRANSFER OF FUNDS

MIN CARRIED

	<u>FROM</u>		<u>TO</u>
Part Town Contingency		Part Town Plan/Master Plan	
B1990.4	\$3806.25	B8021.4	\$3806.25

HB Cap Projects/CWD	HB CAP Projects/CWD
Fund Balance	Legal/Admin/Misc
HB909	HB8320.241
\$3000.00	\$3000.00

7. Audit of books of Justice Rodman

Supervisor Lyon advised the Board Justice Rodman has provided his books for 1996 for their review. After a short break to inspect the books, Michael Lambrix made a motion to approve the audit of Justice Rodman's 1996 books.

AUDIT OF
RODMAN'S
BOOKSMTN TO APRV
AUDIT OF BKS

Seconded by: James Welch Carried: Unanimously

MTN CARRIED

Following a review of the expenditures and claims, David Nussbaumer moved to approve payment of same as shown on Abstract #3 with totals as follows:

MTN TO APRV
PMT OF
ABSTRACT #3

<u>Account</u>	<u>Voucher #</u>	<u>Amount</u>
General Fund	72 - 121	\$ 17,480.82
Part Town Fund	49 - 60	\$ 15,793.07
Highway III & IV	58 - 85	\$118,438.65
Highway I	8 - 12	\$ 4,956.29
North Wtr Dist.	6 - 9	\$ 3,705.05
South Wtr Dist.	4	\$ 712.00
East Water Dist.	4	\$ 216.00
Central Water Dist.	10 - 13	\$ 7,399.22
Capital Projects	1	\$ 3,500.00
HC Ext #1	6	\$ 85.86
Trust & Agency	4	\$ 289.39

Seconded by: Michael Lambrix Carried: Unanimously

MTN CARRIED

At 8:55 PM David Nussbaumer moved to go into Executive Session to discuss matters of litigation.

MTN TO GO INT
EXEC. SESSION

Seconded by: Michael Lambrix Carried: Unanimously

MTN CARRIED

Supervisor Lyon declared this Board out of executive session at 9:05 PM.

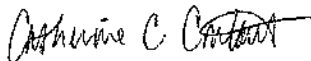
OUT OF EXEC.
SESSION

Supervisor Lyon directed the Deputy Town Clerk to submit an advertisement to the Timesaver seeking applicants for the position of Clerk to the Code Enforcement Officer.

The motion to adjourn this meeting of the Town Board was offered at 9:05 PM by David Nussbaumer, seconded by James Welch and carried unanimously.

MTN TO ADJOURNMTN CARRIED

Respectfully submitted,



Catherine C. Contant
Deputy Town Clerk

TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, April 24, 1997 at the East Palmyra Fire Hall, East Palmyra, was called to order at 8:00 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

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

Others present at this meeting included:
Frank Gorall Nora Gorall
James A. Milliman Harry Wilkins
Harlan Tyler Roy C. Wilck
Ann Vingee-Taber, Sole Assessor
Nelson F. Cook, Highway Superintendent
Robert Grier, Code Enforcement Officer

The Supervisor's Monthly Report was accepted by the Board for filing.

SUPER'S MO. REPORT

COMMUNICATIONS

1. 1997 Crop Walk - Sunday, May 4th 1:30 to 4:40 PM
2. TIME WARNER Communications - Cable TV upgrades
3. Western Finger Lakes Solid Waste Management Authority - Second Annual Open House - Sat., April 26th 10AM - 12PM
4. Wayne County Fair Parade
5. Letter from Jerry Sherman RE: yard cleanup (CWD)
6. HUD: Closeout of Community Development Block Grant
7. Regional Planning & Zoning workshop mtg
8. Rabies Training

REPORTS OF STANDING COMMITTEES

Assessor Committee - Lynne Green, Chairman

1. Assessor Update

ASSESSOR UPDATE

Ann Vingee-Taber, Sole Assessor for the Town of Palmyra, submitted a written report to the Board. A copy of same can be found in the file folder entitled "Assessor Update/Building Inspector/Zoning Officer Update" as kept with the minutes.

Ms. Taber also informed the Board that Grievance Day will be held on Wed., June 4, 1997.

APRIL 24, 1997

HIGHWAY COM.
UPDATE

Highway Committee - David Nussbaumer, Chairman

1. Highway Superintendent Update

Nelson Cook, Highway Superintendent, stated that his summer plans include finishing Jeffery Road, about 14 miles of chip sealing, roadside cleanup from CWD and plow damage, shoulder work in Stafford Road, regrade some areas, clean up plow equipment and sanders, some gravel processing, ditching on South Creek Road, revamping on Vault Road, put guardrails on a portion of Pt. Gibson Rd., replace missing signs, water valve repair and some brush cleanup.

2. Approval for Highway Supt to attend school - Cornell University - 6/2 - 4

MIN FOR HGHWY SUPERINTENDENT TO ATTEND SCHOOL David Nussbaumer moved to authorize Nelson Cook to attend school at Cornell University on June 2 - 4 at a cost not to exceed \$250.00.

MIN CARRIED Seconded by: Lynne Green Carried: Unanimously

3. Approval of Municipal Auction contract with Roy Teitsworth Auctions

MIN TO AUTH. TEITSWORTH CTRCT FOR MAY AUCTION David Nussbaumer moved to authorize the signing of the contract with Roy Teitsworth Auctions for the auction to be held on May 17, 1997.

MIN CARRIED Seconded by: Michael Lambrix Carried: Unanimously

Planning Committee - James Welch, Chairman

PLANNING COM.
REPORT

Mr. Welch reported that the Planning Board had met with a Mr. Boening re: a archery shop and same will be coming before this Board shortly.

Zoning Committee - Michael Lambrix, Chairman

ZONING COM.
REPORT

1. Code Enforcement Officer Update

Robert Grier told the Board that he would like to attend the Spring 1997 Planning and Zoning Workshop; the cost of which is \$20.00. David

MIN TO AUTH
R. GRIER TO
ATTEND SCHOOL

Nussbaumer moved to authorize Robert Grier, Code Enforcement Officer, to attend the Spring 1997 Planning and Zoning Workshop at a cost not to exceed \$20.00.

MIN CARRIED Seconded by: Michael Lambrix Carried: Unanimously

2. Set Public Hearing - Archery Shop

Michael Lambrix moved to set a Public Hearing date of Thursday, May 22, 1997 at 8:00 PM at the Palmyra Fire Hall to consider the application of James Boening for Special Authorization to have a indoor and outdoor archery range and game farm with retail store.

MTN TO SET PUB
HRG DATE FOR
BOENING SPECIAL
USE

Seconded by: David Nussbaumer Carried: Unanimously

MTN CARRIED

3. Mobile Home Park Permit Approvals

Mr. Grier will make arrangements for the inspection and report back at the May 22, 1997 meeting.

MOB. HOME PARK
INSPECTIONS

AGENDA ITEMS

1. CWD Ext. No. 1 - Construction Services Agreement with WCWSA

David Nussbaumer moved to approve the Construction Services Agreement with WCWSA for the CWD Ext. #1.

MTN TO APPROVE
AGREEMENT W/
WATER AUTH. FOR
CONSTR. SRVCS.

Seconded by: Lynne Green

Supervisor Lyon called for a roll call vote.

roll call vote

Town Board Members - David Nussbaumer - Aye
Lynne Green - Aye
Michael Lambrix - Aye
James Welch - Aye
Town Supervisor - David C. Lyon - Abstained
(Conflict of interest)

2. SEQRA Review of Proposed Regional Water Supply Permit for WCWSA - approval for Supervisor to sign

WATER SUPPLY
PERMIT

Lynne Green moved to authorize David C. Lyon, Town Supervisor, to sign the SEQRA Review of Proposed Regional Water Supply Permit for WCWSA.

MTN TO AUTH
SUPERVISOR
TO SIGN SEQRA -
WTR SPLY PERMIT

Seconded by: David Nussbaumer Carried: 4 Ayes
(Supervisor Lyon abstained due to a conflict of interest)

MTN CARRIED

3. WCWSA Update

WCWSA UPDATE

Supervisor Lyon reported that the long-term agreement between Marion, Walworth, Macedon and Palmyra has been signed by all four towns. The authority will now be doing everything pertaining to water. He also stated that the pipeline for the CWD Ext. No. 1 will begin May 1, 1997.

APRIL 24, 1997

4. Wayne County Bd of Supervisor Update

BRD OF SUPER.
UPDATE

Supervisor Lyon reported that the new courthouse in Lyons is in operation but they are having problems with the boilers at the present time. The problem is being corrected.

5. Approval of Septic Sludge Permits -
Jeff East and Gene EastSEPTIC PERMITSMIN TO APRV
PERMITS

David Nussbaumer moved to approve the Septic Sludge Removal Permits for both Jeffrey East and Eugene East for the year 1997.

MIN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

6. Approval of Temporary Camping trailer
- VanDelinderMIN FOR APRVL
OF TEMP. CAMPG. TRLR.

Michael Lambrix moved to approve a temporary camping trailer permit for June/July of 1997.

MIN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

7. Tower moratorium extension

TWR MORATORIUM EXT.
MIN TO EXTEND

Michael Lambrix moved to extend, for another ninety days, the moratorium on any and all towers within the Town of Palmyra; expiration date of July 23, 1997 at midnight.

MIN CARRIED

Seconded by: Lynne Green Carried: Unanimously

8. Review and approval of 1996 Annual
ReportMIN FOR
REVIEW/APPROVAL OF
1996 REPORT

Following a review of the 1996 Annual Report, Michael Lambrix moved to approve same.

MIN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

9. Appointment of and set pay for office
clerk - Town Clerk's Office -
Retroactive to April 14, 1997APPT OF OFFICE
CLERKMIN TO APPOINT
CLERK

Supervisor Lyon moved to appoint Dorothy Bosje as a office clerk in the Town Clerk's Office at a rate of \$8.00 per hour and for said motion to be retroactive to April 14, 1997.

MIN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

10. Transfer of funds

MIN FOR XFER OF FUNDS

The following transfer of funds was moved by

Supervisor Lyon:

FROM
DA Highway - Machine
Reserve DA9950.9
\$11,597.00

TO
HA Reserves - Machine
Reserve HB70
\$11,597.00

Seconded by: David Nussbaumer Carried: Unanimously

11. Modular Home Park on Rt. 31

MIN CARRIED

Robert Grier stated that this matter will be discussed at the May 22, 1997 meeting.

MODULAR HOME
PARK

Following a review of the expenditures and claims, David Nussbaumer moved to approve payment of vouchers with totals as follows:

MIN TO APRV PMT
OF VOUCHERS

<u>Account</u>	<u>Voucher #</u>	<u>Amount</u>
General fund	122-154	\$ 9775.35
Part town fund	61- 72	\$1451.80
DA Highway	86-112	\$16342.44
DB Highway	13- 18	\$ 4420.31
North Water	10- 11	\$ 3744.58
South Water	5	\$ 712.00
East Water	5- 6	\$ 231.83
Central Water	14-18	\$ 7512.10
HC Capital Projects	7- 9	\$13545.83

Supervisor Lyon thanked the East Palmyra firefighters for the use of their hall for this meeting.

The motion to adjourn this meeting of the Town Board was moved by David Nussbaumer.

MIN TO ADJOURN

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

Respectfully submitted,

Beverly E. Hickman

Beverly E. Hickman
Town Clerk

PUBLIC HEARING
TOWN OF PALMYRAVARIANCE TO THE ZONING ORDINANCE OF THE TOWN OF
PALMYRA TO HAVE AN INDOOR AND OUTSIDE ARCHERY RANGE
AND GAME FARM

The Public Hearing scheduled to be held on Thursday, May 22, 1997 at the Palmyra Fire Hall, to consider the variance to the Zoning Ordinance of the Town of Palmyra to have an indoor and outside archery range and game farm by James Boening at 3601 North Creek Road was called to order at 8:00 PM by Town Supervisor David C. Lyon.

PUB. HRG.
CALL TO ORDER

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

Nelson F. Cook, Highway Superintendent
Robert A. Grier, Code Enforcement Officer
Sue Regis, Deputy Town Clerk
Shaun Koh, the Courier-Journal
Paul & Carol Batterby, 3585 N Creek Rd, Palmyra
David F. Walton, 3545 N Creek Rd, Palmyra
John Regis, 417 Rt 31F, Macedon
Bert Hellis, 5945A Terrace Lane, Farmington
Alison Tetlow, 137 Rt 31 Lot #7, Macedon
Andrew Arthur, 137 Rt 31 Lot #7, Macedon
Jim Henning, 968 Clevenger Rd, Ontario
George Bolender, 1126 Ridge Rd, Ontario
Georgie Bolender, 1126 Ridge Rd, Ontario
Judith Snyder
Lawrence Snyder II
Dennis L. Oberdorf, 18 N. Pearl St, Canandaigua
Mickey Gillotte, 514 Curran Rd, Shortsville
Carol Gillotte
Richard Marvin, 4775 Lewis Rd, Walworth
Todd Hanagan, 2270 Maple Ave, Palmyra
George Kishbaugh, 3641 Rt 96, Shortsville
Lee Nichols, 288 Macedon Ctr Rd, Palmyra
Keith Nichols, 1767 Maple Ave, Palmyra
Shawn Devlin, 232 E Foster St, Palmyra
Warren Ruliffson, 102 Vienna St, Palmyra
Harold L. Brown, 3618 N Creek Rd, Palmyra
Rebecca Bay, 3535 N Creek Rd, Palmyra
Robert J. Pease, 3626 N Creek Rd, Palmyra
David Bullock, 5761 Oatfield Dr, Farmington
John Cosgrove, Churchville

The reading of the legal notice, as published in the Courier-Journal, was waived by the Town Supervisor, but is included in these minutes as a matter of record.

LEGAL NOTICE
TOWN OF PALMYRA

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will hold a Public Hearing on Thursday, May 22, 1997 at 8PM at the Palmyra Fire Hall, E. Main Street, Palmyra, to consider the

application of James Boening, 2517 W. Walworth Road, Macedon, for a Variance to the Zoning Ordinance of the Town of Palmyra to have a indoor and outside archery range and game farm on property located at 3601 North Creek Road, Palmyra. The premises are situated in a Agricultural Zone and are bounded on the north by Stanley/Ann Mullin, on the south by Stanley Kunow and Paul/Carol Ann Bätterby, on the east by Larry/Judith Snyder and Rosalie Snyder and on the west by Jack Walton, Allen Bills and David Wipf/Scarlet Miles.

This application is in conflict with Article III, Section 3.2 (b) which limits the uses of property in a Agricultural District to those permitted under Section 3.1, paragraphs a thru h. Article III, Section 3.2 (b) states: Use of land for other than farm purposes requires Special Authorization from the Town Board. Such 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 the above application or any objections thereto. Persons may appear in person or by attorney or agent.

Dated: May 9, 1997
By Order of the Town Board
Beverly E. Hickman
Town Clerk

MR. BOENING'S
PRESENTATION

A presentation was made by Mr. Boening summarizing his intentions to build a pole barn to house his archery business, including an indoor archery range. The indoor range is interactive, basically video target shooting. He is also requesting permission to hold controlled hunts by bow or gun of Russian pigs, which he would raise on the property. Mr. Boening described the fencing design, intended to prevent escape by the pigs. He also assured all present the shooting of either gun or bow would be only in the direction of his own house which he intends to build on the property. Mr. Boening wished to emphasize the control he would have of the hunting, as he would be guiding the scheduled hunts himself. Currently, anyone can and does hunt on the property year around, uncontrolled.

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

Todd Hanagan said he'd been a resident for 33 years and would like to see this - it gives kids something to do and they are watched carefully.

Harold Brown who lives across the street said a

variance would have to be granted, and he's against it.

Robert Pease, also across the road, voiced his concern about a variance given to a man down the road who is now operating out of his variance for more than a year.

Dave Walton said the business was a good idea, to do it in a residential area was a bad idea. The farm is being used, there are lots of people walking by. He said you can't tell a bullet where to stop, and mentioned the possibility of noise pollution.

Keith Nichols said he was in support of Jim. He also said there would be very little noise with controlled hunting.

Dennis Oberdorf said he was in favor of Jim, and that Jim was in favor of archery only if necessary.

Robert Pease replied that was not what was said at the Planning Board hearing, that it was proposed as a 365 day per year operation.

Dave Walton replied that archery only would lose too much money, and in six months or six years they would have to consider the use again.

Dave Bullock asked about any zoning restrictions on gun discharge, and Code Enforcement Officer Robert Grier replied the Town abides by New York State rules. No discharge within 500 feet of a building.

Mr. Bullock then stated he was in favor of the proposal, as the Rochester area does not have this and it would be welcome in this area.

Paul Batterby asked if these people would be in favor of it if it were in their back yard, and several in the crowd replied yes, they would.

Sandy Boening, wife of the applicant, said they have seen many tree stands on the property, which means people are already hunting there.

Judy Snyder agreed there is hunting now, but said it is seasonal only. Dave Walton said they are not against him, but it is the wrong location.

REGULAR TOWN BD MTG WITH PUBLIC HRG MAY 22, 1997

Rebecca Bay said she had called NYS Department of Environmental Conservation, and the law regarding no discharge of guns within 500' of a building includes barns, and they have a barn back there. This means the Boenings would have to put their fence 110 feet inside their property line.

Mr. Boening responded by describing the area intended for hunting. He said it is high in back with a huge field. He can limit direction of shooting. There would be one or two hunts a week, if that. He would work with the neighbors on scheduling. People target-shoot and woodchuck hunt there year around, already. He intends to live there with his family. Robert Pease said the hunting of non-native animals bothers him. Mr. Boening replied that the pigs are Russian, but will be raised in New York.

Keith Nichols said that using non-native animals is not a problem.

Larry Snyder, who lives next door, said he was not real impressed with the guns, but it's his business, and he doesn't have a problem with non-native animals.

David Bullock said he lives within earshot of a gun club and it's never been a problem. The hours of shooting are limited. They also use high-powered weapons and it's not a problem.

Sandy Boening said they have three children, and it will be their back yard. They don't want to interrupt the neighborhood, they want to be a partner in the community.

John Cosgrove said he's for it, and Jim is capable and does a lot with the handicapped. He said he has all the faith in the world in this man.

David Walton replied that it's great how Mr. Cosgrove feels about him, but it's the wrong location. Maybe we can trust Jim, but what about the hunters?

Keith Nichols replied that they are ethical people, they're signing their name, and if there's a violation, it will be addressed immediately.

Jim Boening replied that the hunters would be guided by him, and would be very restricted.

Robert Pease said he would like the Board to consider putting strict guidelines on the operation, or bringing it to an end if violated.

Keith Nichols repeated that he's all for it and it would do a lot of good for this area.

Dennis Oberdorf said he has been going to Jim's business for three to four months, and it's the only place to go to shoot a bow. He has a 15 year old son just starting out that would like to be there every night. Mr. Oberdorf would rather see him addicted to this than drugs.

Councilmember Michael Lambrix asked Mr. Boening how many pigs would be there, and was told no more than ten would be hunted at one time. The Boenings would be raising the pigs there, also.

Mr. Lambrix then asked Mr. Boening if they wouldn't then be shooting a domesticated animal, and he replied yes, basically. Mr. Lambrix then asked if the Boenings were prepared to handle the animal rights people, and what their plan was. Mr. Boening replied that his plan is to defuse the situation, call the game warden & police. He said the activists want a confrontation, and he does have a plan, and it will happen some day.

Norm Wilson asked if there isn't already a game preserve in Palmyra on Johnson Road, and Supervisor Lyon replied not that he's aware of.

David Bullock asked Mr. Boening if he is certified by New York State as an instructor for the required pre-licensing Hunter Safety Course, to which Mr. Boening replied yes.

Keith Nichols said the anti-hunting activists are prevented by law from harassing behavior.

Supervisor Lyon asked for any other comments, and being none, asked for the recommendations of the Wayne County Planning Board, and the Town Planning Board to

REGULAR TOWN BD MTG WITH PUBLIC HRG MAY 22, 1997

be read, the text of which follows.

WAYNE COUNTY PLANNING BOARD

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

Re: James Boening
3601 North Creek Road
Tax Map Ref. No: 33111-00-270960
Use Variance

Dear Mr. Grier:

At its regular meeting of March 26, 1997, the Wayne County Planning Board reviewed the above referenced referral and recommended Denial of the Use Variance for the following reasons.

1. The Board felt the action would be better handled as a Special Permit.
2. A lack of clear information around proposed activities and projected uses for the site including site plan information such as building location and parking plans.
3. An incomplete Agricultural Data Statement.

If you have any questions regarding this determination, please don't hesitate to contact me.

Sincerely,
James Columbe
Sr. Planner

PALMYRA VILLAGE AND TOWN OFFICE OF CODE ENFORCEMENT
BUILDING - PLANNING - ZONING

May 21, 1997

To: The Palmyra Town Board

From: Dan Wooden; Deputy Code Enforcement Officer

Re: Boening Special Use Permit

On 5-12-97 the Planning Board reviewed the application for a Special Use Permit submitted by James Boening. A motion was made to deny the application and the resulting vote was 2 ayes and 2 nays by the four members present. Several days later, after researching the procedures of the planning board, it was discovered that a referral to the Town Board must be; a recommendation to approve the application as is, a recommendation to approve the application with conditions or a recommendation to deny the application. The proper procedure was not followed in this case due to the fact that there were only four members of the board present and that they all voted.

In an effort to rectify this situation Bob Grier contacted Linda Edinger, the Planning Board Chairperson, and explained the procedural problem. Linda decided to withdraw her negative vote on the motion to deny the application so that a proper referral can be submitted. In doing so, the vote on the motion became 2 ayes and 1 nay.

The recommendation of the Planning Board is to DENY the Special Use Permit Application submitted by James Boening.

In order to avoid this situation in the future, the chairperson will only cast a vote in order to break a tie.

Mr. Grier wished to clarify the Wayne County Planning Board letter in that they did not approve nor deny the application, but simply recommended the matter be handled at the Town level.

Supervisor Lyon declared this Public Hearing closed at 8:32 PM, and called for a five minute break.

PUBLIC HRG.
CLOSED

REGULAR TOWN BOARD MEETING

The regular Town Board meeting scheduled to be held on Thursday, May 22, 1997 at the Palmyra Fire Hall was called to order at 8:40 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

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

Mr. Nussbaumer moved to approve the minutes of the Town Board Meeting held April 24, 1997 as submitted.

MIN TO APPROVE
APRIL 24 MIN.

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

The Town Board accepted the Supervisor's Monthly Report for filing.

SUPERV.'S MTHLY REPORT

COMMUNICATIONS

1. NYMIR Risk Management Seminar - Employment Practices Liability

COMMUNICATIONS

To be held Thursday, June 19 8:30 AM - 12:30 PM in Rochester.

2. NYS OSC Division of Municipal Affairs - Spring '97 Teleconference

To be held Wednesday, June 11 - "The Town Board and the Highway Superintendent: Roles & Responsibilities"

REGULAR TOWN BD MTG WITH PUBLIC HRG MAY 22, 1997

To be held Wednesday, June 18 - "Everything You Wanted to Know About Special Districts But Didn't Know Who to Ask!"

Both Teleconferences held at Cornell Cooperative Extension in Newark.

3. Memorial Day Parade

Invitation to the Town Board from Veterans of Foreign Wars and American Legion to participate in the annual Memorial Day Parade on Monday, May 26. Supervisor Lyon requested Highway Superintendent Nelson Cook to obtain a suitable vehicle for the Board to use in the parade.

REPORTS OF STANDING COMMITTEES

ASSESSOR UPDATE

Assessor Committee - Lynne Green, Chairman

1. Assessor Update

No report at this time.

Highway Committee - David Nussbaumer, Chairman

HIGHWAY UPDATE

1. Highway Superintendent Update

Nelson Cook reported the Department is working on switching the equipment from winter to summer use, the Village/Town consolidation is continuing with no problems, and the preliminary figures from the Municipal Auction held on May 17 show an approximate gross income to the Town of \$22,000 before commission. The equipment sold by the Town grossed \$48-49,000. A detailed report will be provided at the next meeting.

Planning Committee - James Welch, Chairman

PLANNING UPDATE

1. Mr. Welch reported one new single lot subdivision approval.

2. Mr. Welch then reported Mr. San Filippo had provided updated prints for the proposed Modular Home Park for sketch plan approval, and same had been sent to the County for approval. As such, Mr. Welch made a motion to set a Public

MTN TO SET
PUB HRG DATE FOR
MOD. PARK

Hearing date of Thursday, June 26, 1997 at 8:00 PM at the Palmyra Fire Hall, East Main Street, Palmyra, for the Town Board to hear the proposal of

Robert Morgan and Joseph San Filippo to obtain a Modular Home Park Permit to construct and run a Modular Home Park on Route 31.

Seconded by: Michael Lambrix Carried: Unanimously

MTN CARRIED

Zoning Committee - Michael Lambrix, Chairman

1. Boening Special Use Application - subject of Public Hearing

ZONING COMM. UPDATE

Mr. Lambrix moved to deny the Special Use Application as submitted by James Boening for the following reasons:

MTN TO DENY BOENING SPEC. USE PERMIT

1. Consensus of the people in the area
2. Traffic pattern
3. Wayne County Planning Board denial
4. Palmyra Town Planning Board denial

Seconded by: James Welch

Supervisor Lyon called for a roll call vote.

ROLL CALL VOTE-SPEC. USE

Town Board Members - David Nussbaumer - Aye
 Lynne Green - Aye
 Michael Lambrix - Aye
 James Welch - Aye

Town Supervisor - David C. Lyon - Aye

Motion to deny the Special Use Authorization for James Boening carried unanimously.

MTN TO DENY CARRIED

2. Code Enforcement Officer Update

Mr. Grier presented his report to the Board which is filed with these minutes. He also brought the Board up to date on several on-going court matters and dates of compliance.

CODE ENFORCMT UPDATE

3. Comments pertaining to Zoning problem

Mr. Donald Rice, 4395 Route 31 East, Palmyra requested an opportunity to address the Board regarding the condition of the Clara Rodman property at 4389-4391 Route 31 East, next to his own. Mr. Rice supplied the Board with copies of letters sent and notes of his discussions with various agencies in his attempt to get the Rodman property cleaned up to his satisfaction. Supervisor Lyon referred the matter to CEO Robert Grier, who informed Mr. Rice of the latest developments on the issue.

4. Mobile Home Park Permit Approvals

Mr. Grier reported his difficulty in

REGULAR TOWN BD MTG WITH PUBLIC HRG MAY 22, 1997

scheduling the required inspections with Dr. Alan Lorenz, Town Health Officer. He expected to complete the inspections prior to the next Regular Town Board Meeting, and will report back then.

AGENDA ITEMS

MASTER PLAN
UPDATE

1. Master Plan - copies of proposal available

Supervisor Lyon advised all present the Master Plan Committee has submitted their proposal and it is available for review at the Town Clerk's Office and the Village Clerk's Office. A few are available to be signed out for up to one week.

2. Declare computer equipment surplus

MIN TO DECLARE
COMPUTER SURPLUS
EQUIPMENT

David Nussbaumer made a motion to declare the following computer equipment surplus:

Town Clerk:

IBM CPU PS/2 Model 30 8086 Type 8530-021
S/N 23-1461660 purchased 09/23/88

IBM Monitor Type 8512-001
S/N 72-0349218 purchased 09/23/88
\$6074.00

IBM Printer Model Proprinter XL24 Type 4208
S/N 110089136 purchased 09/23/88
\$1378.00

IBM CPU PS/2 Model 55SX 80386
S/N 78-9063271 purchased refurbished
02-16-96 \$99.95

Tax Collector:

IBM Printer Model Proprinter XL24 Type 4208
S/N 110089615 purchased 09/23/88

Zoning:

IBM Printer Model Proprinter XL24E Type 4208
S/N 112087843 purchased 06/23/91

Assessor:

IBM CPU PS/2 Model 70 80386
S/N 72-7030372 purchased 09/28/1988
\$4150.00

IBM Monitor Type 8512-001
S/N 720382893 purchased 09/28/88

Justice:

IBM CPU PS/2 Model 30 80286
S/N 23-A511421 purchased 11/13/90
\$1596.00

IBM Monitor Type 8512-001
S/N 1156675 purchased 11/13/90
\$ 373.00

IBM Printer Model Proprinter XL24E Type 4208
S/N 112096620 purchased 11/08/90
\$ 687.00

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

3. Transfer of funds

The following transfer of funds was moved by
Michael Lambrix:

<u>FROM</u>	<u>TO</u>
Part Town Contingency B1990.4 \$7,588.75	Part Town Planning/Master Plan B8021.4 \$7,588.75

MTN FOR FUNDS
TRANSFER

Seconded by: David Nussbaumer Carried: Unanimously

MTN CARRIED

Following a review of the expenditures and
claims, Michael Lambrix moved to approve payment of
vouchers as shown on Abstract #5 with totals as
follows:

MTN TO APPROVE
PMT. OF VCHRS
ON ABSTRACT #5

<u>Account</u>	<u>Voucher #</u>	<u>Amount</u>
General fund	155-197	\$13318.96
Part town fund	73- 88	\$ 9789.68
DA Highway	113-127	\$ 8443.45
DB Highway	18- 24	\$ 8710.80
North Water	12- 15	\$ 3973.05
South Water	6- 8	\$ 2283.85
East Water	7- 10	\$ 3352.11
Central Water	19- 25	\$74179.95
HC Capital Projects	10- 11	\$246469.00

Seconded by: David Nussbaumer Carried: 4 ayes

MTN CARRIED

Supervisor Lyon voted no on Voucher #188 of the
General Fund.

The motion to adjourn this meeting of the Town
Board was made by Michael Lambrix.

MTN TO ADJOURN

Seconded by: David Nussbaumer Carried: Unanimously

Respectfully submitted,

Catherine C. Contant

Catherine C. Contant
Deputy Town Clerk

PUBLIC HEARING
PROPOSED MODULAR HOME PARK

The Public Hearing scheduled to be held on Thursday, June 26, 1997 at the Palmyra Fire Hall to consider the application of Robert Morgan, 7 Chelsea Park, Pittsford, NY, for a Special Authorization to the Zoning Ordinance of the Town of Palmyra to construct and run a 99 unit mobile home park at 3119 Rt 31 (south aide of Rt. 31 opposite Galloway Road) and to obtain a Modular Home Park Permit was called to order by Town Supervisor David C. Lyon at 8:00 PM.

PUBLIC HRG
MOB HOME PARK

The reading of the legal notice was waived due to the fact that this was a second hearing regarding this matter.

Those present at this Public Hearing, in addition to the Town Board Members included:

Mr./Mrs. Willard Champlin	Joseph Burn
Robert Morgan	Joseph San Filippo
Mr./Mrs. George Tilburg	Robert Seeley, Eng.
Marv Garland	Randy Trask
Wilda Payne	Pat Baldauf
Barry K. Wiedrick	Gary LaBerge
Raymond LeRoy	Robert K. Jagger
Ken Buck	Cody Buck
Frank & Bev Koeberle	Richard Lawrence
? S. Wood	Bob Adams
Esther Deys	James Deys
D. S. Greenlaw	Nancy Storr
Earl/Betty Vanderwall	Richard Bump
Richard Dickinson	Judie Quigley
Harry/Sandra Hanson	William Malone
Patti Holdraker, the TIMES	
Shaun Koh, the COURIER/JOURNAL	
Chris Kahn, Pt. Gibson Fire Chief	
Robert Grier, Code Enforcement Officer	
Dave Matthews, Town Engineer	
Nelson F. Cook, Highway Superintendent	
Peter Wilson, Village of Palmyra Mayor	

Since this is the second public hearing regarding this proposed modular home park, Supervisor Lyon reviewed the events leading to this evening.

Joe San Filippo and Bob Seeley, on behalf of Bob Morgan, showed those present a map and explained where everything would be laid out and how the park would look when complet. They stated that all of the units in the park would cost between \$33,000 and \$69,000. They said it will be a nice park.

JUNE 26, 1997

At this time Supervisor Lyon opened the floor for any comments or questions.

Rick Lawrence - NSSA member - He could not have a double wide on his own property so how can these guys? Bob Grier - Certain units allowed in the Town and certain units only allowed in a park. Criteria is put out by the State. A park is different from private property. Mobile Home Zoning has been in effect from 1966 and this application is being run by that ordinance.

Richard Bump, Commander of the Palmyra VFW read a letter from the VFW members. Letter was not submitted to the Board and can not be entered.

Joe SanFillipo read the following letter from Bob Ryder, a member of the VFW:

March 19, 1997

Mr. Robert Morgan
P.O. Box 17656
Rochester, NY 14617

LETTER FROM
BOB RIDER.

Dear Mr. Morgan,

At your suggestion, I am sending this letter to confirm our recent telephone conversation of 3/18/97. On behalf of all of us, I wish to thank you for your generous decision to allow us to continue shooting and skirmishing on your property adjacent to the Palmyra V.F.W. We would like to hold 3 skirmishes and one turkey shoot this year. They would be held June 14th and 15th, June 28th and 29th, and Sept. 13th and 14th and the turkey shoot sometime in Nov. Individual insurance policies are issued by our national skirmish organization, the North-South Skirmish Association (NSSA). A copy of each individual Certificate of Insurance will be sent to you just prior to each skirmish.

As you stated, it may be several years before your mobile home park is completed. You did mention a few ideas that may be helpful to the continuation of our shooting after your park is in place. Therefore, rather than wait until that situation presents itself, we are now forming a committee to look into all the possible ways the V.F.W. can continue shooting safely and be compatible with your mobile home project. We would like to meet with you later this summer to discuss the possibilities.

In closing, we would ask you and your family to be our guests at any of the above skirmishes and the Saturday night dinners that follow. We will look forward to seeing and working with you in the coming year.

Respectfully,
Robert E. Rider

David Greenlaw - Vienna Road - How does this proposal fit into the Master Plan? Supervisor Lyon - A current Master Plan is in progress at this time. Bob Grier (CEO), does not believe this park is in the new master plan. Greenlaw - Has been on various planning and zoning boards and knows first-hand that there are always social costs included in this type of high density housing. Since there apparently have not been any studies done on the social costs, he is opposed to the development.

George Tilburg - This property has been agricultural since he first lived out there many years ago - Why is it suddenly no good for farming? Supervisor Lyon - This is a free society - If the owner does not wish to farm this land and the new purpose does not fit into the zoning laws, a hearing has to be held to have the zoning changed. George Tilburg objects to the change of zoning.

Joseph SanFillipo - If the zoning is changed this property will generate between \$83,000 and \$93,000 per year as opposed to the \$8,000 - \$9,000 presently generated. The town services to this park will be minimal; no plowing, no salt, no road work. There would only be ambulance, fire and schooling which is less than a subdivision would need.

Gary LaBerge - What school district would this park be in? Supervisor Lyon - Palmyra-Macedon Central School District; property is right on the line.

Bill Malone - Traffic patterns are a concern. He can see several traffic problems and therefore, objects to this project.

Marv Garland - Has the state done any studies on the traffic? Robert Grier - Larry Russell, in charge of traffic for the state, will not do a study until the town has approved the project and then the state will make the developer do whatever is necessary to make it safe.

Bob Seeley, engineer for the project - A sight distance study has been done and we do have the correct sight distance; over 800 'in either direction. Joe Burn - did you have it surveyed by a licensed surveyor? Seeley - Yes, I did it myself. Mr. Burn objects to the project.

Frank Koeberle - Does not think sight distance is all that good.

George Tilburg - You have to watch that curve, it's very dangerous.

Dick Bump - VFW - The sight distance is 845' to the left and 875' to the right. Elderly people do not have that good eye sight. Supervisor Lyon stated that the sight distance will be checked by the state at the proper time. Michael Lambrix would like the sight distance added to the map.

Rick Lawrence - Since the contractors are doing the studies, isn't this a conflict of interest? Supervisor Lyon - Everything will be checked by the state if this goes through.

Dick Lawrence - Member of the VFW - Totally against this because of the shooting events and also, the character of this park could change in just a few years from elderly to young people with children.

Joseph SanFillipo - It is estimated that about 53% of the people will be older and the other 27% may have children.

George Tilburg - 20 students will cost about \$160,000.00. David Nussbaumer stated that state aid will pick up a lot of this amount.

Frank Koeberle - 37 families with 2-3 kids is a lot of kids and at \$80,000 per child it will add up.

Marv Garland - Has anyone contacted Sheriff's Department regarding the number of homes and the traffic? Supervisor Lyon - No

Harry Hance - What kind of impact will this have on the present waterline? Supervisor Lyon - No impact at all. We have a pump station down that way.

now and that will keep the pressure up where it belongs. The only impact might be that the tax on the waterline might go down a bit.

Harry Hance - Right now he does not have to worry about motorcycles, snowmobiles, etc. because he has the area kids trained. A new bunch of kids will mean he has to train them all over again.

Joseph SanFillipo - Motorcycles, snowmobiles, etc. will not be a problem because they will not be tolerated. These people will be history.

Marv Garland - Are you going to be a "absentee landlord"? Joseph SanFillipo - I live in Macedon; not that far away.

Bob Jagger - The statement just made about not tolerating things - When I complain to the town are you going to make them back it up? Supervisor Lyon - We will get to the owners and they will take care of your problem.

Rick Lawrence - How many towns have disapproved your plan before you came to Palmyra?

Bob Seeley - The Town of Macedon because it was too energetic (360 units) and sewer problems. The Town of Walworth had sewer problems also.

Dick Bump - Feels the Board has been secretive about this project (secret meetings). He is not against progress or the developers but feels the Board members have done nothing for the veterans and are in fact against the Vets. David Nussbaumer disagreed violently. Supervisor Lyon stated that he takes that as a personal affront. The Board has not done anything secret at all.

Bob Jagger - Is a environmental study going to be done? Supervisor Lyon - The Town Board may appoint themselves lead agency tonight and that will start the environmental process in motion.

Joe Burm - Do you have results of the perc tests? Bob Seeley produced maps showing the placement of tests and the results of same.

JUNE 26, 1997

Harry Hance - Where does the purchase of this land stand? Robert Morgan owns the land.

Berry Wiedrick - Has anybody addressed this with the Fire Department? Chris Kahn - Pt. Gibson Fire Chief - Nobody has contacted me at all.

Esther Deys - who would contact person be if there is a problem? Joseph SanFillipo - the manager of the park. Esther Deys - She lives next door to a small park and who would buy her house with what's next door to her? Joseph SanFillipo - Described what this park will look like and told her she would be proud to live next door. Supervisor Lyon - The park next door to her is a preexisting park and the town cannot do much about that. He stated that he was not picking on that particular park because it is not the only one. Robert Grier - CEO - The town did not have full time zoning until this year and he is presently focusing on the trailer parks. He will investigate the park next to her.

Harry Hance - How will they take care of refuse disposal? Joseph SanFillipo - It will be picked up once a day.

George Tilburg - What about well pollution? Joseph SanFillipo - We have made a agreement with the County to help you get hooked up on town water.

Shirley Tilburg - We wouldn't want to lose our well water, but if we had to hook into town water, we would be responsible for the bill for the rest of our lives; not you. There must be some doubt in your mind for you to bring this up in the first place.

Joseph SanFillipo - I didn't bring this up - the County did. They asked what would happen if the well water becomes contaminated and they said we would be responsible. Dave Matthews - If contamination occurs NYS Health Department regulations will be followed.

Marv Garland - are you going to put in a septic system for each unit? Bob Seeley - The lots are 160' wide and we will put in large systems to accommodate

a area not a unit. We will put these systems in where we got the best results from the perc tests.

Dick Dickinson - Mother earth does not care who owns it so why should this Board. He objects for many, many reasons; so many he cannot remember them all. We are going over the same thing for the second time. Supervisor Lyon - These people are asking legitimate questions. We cannot deny due process without legitimate reasons. Dickinson - Macedon took two meetings to say "no," why can't Palmyra? Let's let NYS do their studies before the Board approves it.

Rick Lawrence - Regarding the older people that live in the park; are you going to have bus service? taxi service? or just have their families tote them around? Bob Seeley - The WATS bus travels this route and also the RTS. Transportation should not be a problem. Lawrence - The people in the village like to walk to the grocery store, etc. and socialize while they are there. Seeley - This type of person will not want to live in this park.

Marv Garland - Will the park be government subsidized? SanFillipo - No, not at all.

George Tilburg - The school buses will be a big problem in that area.

Dick Lawrence - What will you do if this is turned down? Will you keep bugging us? SanFillipo - We will have to re-assess. Lawrence - I am trusting to our elected persons to do what we want them to do.

Joseph SanFillipo - We are proposing affordable housing for your community. People are proud to live in a 5 star park. Go see Bob's other parks and talk to the people that live there.

Bob Jagger - We, as a community are looking at something we don't want and an outsider is telling us that this will be good for us and that we will like it. I don't get it.

Harry Hance - I object to a lower cost homes

being built 1/2 mile from me.

Esther Deys - You keep talking about this 5 star rating; who rates these parks? SanFillipo - A 5 star park is one where there are paved driveways, vinyl siding, shingled roofs and looks like a house. The manufactured housing industry sets the standards.

Pat Baldauf - She drives thru this area at least 2 - 3 times a day and is concerned about the traffic.

Supervisor Lyon asked if there were any more comments from those in attendance or from the board. There being none, the Board accepted a petition

signed by members of the following:
 Palmyra Memorial Post #6778, VFW
 Palmyra Memorial Post #6778, VFW Ladies Aux.
 American War Dads Chapter 44
 American War Dads Chapter 44 Ladies Aux.
 Palmyra Amvets Chapter
 American Legion
 American Legion Aux.
 North-South Skirmish Association

This petition reads as follows:

Petition to the Town Board
 of the Town of Palmyra

Be it known that the names listed below are against approval of the application submitted by Robert Morgan for special authorization to have a mobile home park. The addition of the mobile home park to our area would cause the following problems:
 The large participation in the Canal Town Days Event by the members of the local and visiting Black Powder organization would no longer have a place to safely conduct there events. This leads to their lack of attendance at the Fair along with the families and relatives who come to enjoy the festivities.

The Palmyra Memorial Post 6778, Veterans of Foreign Wars is concerned about the security of the properties in the area. Past events have indicated that there is a lack of available patrols already.

By signing below each person states that as a concerned citizen of the area, they are against the stated application in any form and will consider the board's decision in all future elections.

Said petition contains a total of 122 signatures with only 16 of these signatures from Palmyra residents.

The board then accepted the following petition:

Petition to the Town Board
 of the Town of Palmyra

The names listed on this petition are against the application submitted by Robert Morgan for special authorization to have a mobile home park on Route 31 in the Town of Palmyra. We are opposed to the addition of the mobile home park to our area because of the following reasons:

PETITION AGNST
MOB HOME PRK

1. The access to Route 31 would create a very dangerous condition for the additional 130-150 cars per day entering and exiting on to Route 31. Also, the hazardous conditions of picking up and releasing children from school buses.
2. The close proximity to the existing homes would destroy the rural setting we call home. It also would decrease the value of our property.
3. The possibility of the leaching area of this magnitude polluting the existing wells in the area.
4. Concerns about security of properties in the area.
5. Concerns about trespassing on private lands - ATV's, motorcycles, snowmobiles, etc.
6. A devastating effect to the V.F.W. festivities and the financial income for them and our community.

Presented by: George Tilburg
4320 Route 31
Palmyra, NY 14522

This petition appears to be signed by 147 Town of Palmyra residents.

Supervisor Lyon then asked that the following recommendation from the Wayne County Planning Board be read into these minutes:

RECOMMENDATION
FROM WAYNE CTY
PLANNING BRD.

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

May 29, 1997

Re: Canalside Estates
Route 31 East
Tax Map Ref. No: 34111-00-090560

Dear Mr. Grier:

At its regular meeting of May 28, 1997, the Wayne County Planning Board reviewed the above referenced referral and recommended Approval of the Special Permit with the following conditions.

1. The developers shall agree to compensate nearby landowners should their private water supplies become contaminated from the use of the proposed Canalside septic system.
2. A Notice of Intent for a Pollution Prevention Plan must be filed with the NYS Department of Environmental Conservation.
3. A second entrance to the site be provided as soon as the necessary land becomes available.

If you have any questions regarding this determination, please don't hesitate to contact me.

Sincerely,
Bret DeRoo
Sr. Planner

Supervisor Lyon then requested that the following recommendation from the Palmyra Planning Board be read into these minutes:

June 20, 1997

MFR FROM PALMYRA
PLANNING BRD.

To: Town Clerk & Town Board
From: Dan Wooden; Deputy Code Enforcement Officer
Re: Canalside Estates

At the June 10, 1997 Town Planning Board Meeting, the Planning Board recommended that the Town Board approve the plan for the Canalside Estates. All members present (3) vote in favor of the submitted plan.

Dan

Michael Lambrix then stated that this was the worst presentation he had ever seen. He said he had asked for information from the school; where is it? How do you plan to segregate these people? How are you going to evict people if necessary? You told these people to go see other parks; where are pictures? He said he is for growth in the Town and the Village both but he wants facts and figures in writing. How can He vote on this without necessary information? He said he had asked for this information previously. He feels it wasn't a very good presentation.

Joseph SanFillipo - We have most of this info recorded on the maps and each board member has a copy of the rules and regulations. I am not a mind reader.

Supervisor Lyon again asked if there were any more questions or comments. There being none, he adjourned the remainder of this public hearing until Thursday, July 24, 1997 at 8:00 PM again at the Palmyra Fire Hall. *

PUB HRG
ADJOURNED

* During the regular Town Board meeting held on Thursday, June 26, 1997, following the above Public Hearing, the date for the remainder of the Public Hearing was changed to Monday, July 28, 1997. A notice of this change was put in the Courier/Journal and letters were sent out to those at this Public Hearing.

PUB HRG DATE
CHANGED

REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board scheduled to be held on Thursday, June 26, 1997 at the Palmyra Fire Hall following the public hearing re: the proposed modular home park, was called to order at 9:30 PM by Town Supervisor David C. Lyon.

MTG CALLED TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

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

Michael Lambrix moved to approve the minutes of the May 22, 1997 Town Board meeting as submitted.

MTN TO APPRV MAY 1997 MIN.

Seconded by: David Nussbaumer Approved: Unanimously

The Board acknowledged receipt of the Supervisor's Monthly Report for filing.

MTN CARRIED

COMMUNICATIONS

SPVSR'S MTHLY REPORT

- 1. Wayne County 911 Report
- 2. Resignation
- 3. Palmyra Canaltown Days Parade - Sept. 13 @ 4

COMMUNICATIONS

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

ASSESSMT COM. REPORT

- 1. Assessor Update

No report at this time.

Highway Committee - David Nussbaumer, Chairman

HWY COM. RPRT

- 1. Highway Superintendent Update

Nelson Cook told the board that he is scheduling a meeting with the auctioneer, Supervisor Lyon, David Nussbaumer and Paul Rubery. He will be able to give a auction report following this meeting.

He reminded the board that most of his highway crew will be on shut-down the first week in July. He will be working along with two or three of the men.

David Nussbaumer moved the following transfer of funds:

MTN FOR XFER OF FUNDS

<u>FROM</u>	<u>TO</u>
DA Highway Sale of Surplus DA9950.9	HA Capital reserve - Machine Equipment
\$13,726.27	HA870 \$13,726.27
Seconded by: Michael Lambrix	Carried: Unanimously

MTN CARRIED

Planning Committee - James Welch, ChairmanPLANNING COMM.
REPORT

1. Declare Town of Palmyra Lead Agency - Proposed Modular Home Park

James Welch moved to declare the Town of Palmyra as

MIN TO DECLARE Lead Agency for the proposed modular home park
PALMYRA LEAD AGCY
FOR MOB.HOME PRK project.

MIN CARRIED Seconded by: David Nussbaumer Carried: Unanimously

2. Proposed Modular Home Park - Subject of Public Hearing

Following a brief discussion regarding vacation

MIN FOR PUB HRG
TO BE 7/28 AT
FIRE HALL

schedules of the Town Board Members, James Welch moved to hold the remainder of the public hearing for the proposed modular home park on Monday, July 28th at the Palmyra Fire Hall at 8:00 PM and to hold the regular July meeting that night also.

MIN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously
(Notices of this change in the meeting date will be sent out to everyone that was at the public hearing this evening.)

3. Gary LaBerge - Southern District Sewer Expansion

STHRN DISTRICT
SEWR EXPNSION

Gary LaBerge presented the board with a petition that reads as follows:

PETITION FROM
PALM. RESIDENTS

The following Palmyra property owners, residing on Canandaigua Rd., (Rte. 21 south), Bearhill Drive and Rolfe Street, would like to receive general information, costs and a time table for installation of municipal sewer in our area.

This petition contains 56 affirmative responses.

Zoning Committee - Michael Lambrix, Chairman

ZONING COMM. UPDATE

1. Code Enforcement Officer Update

Robert Grier submitted a written report to the Board which can be found in the file folder entitled "Assessor Update" and "Code Enforcement Officer Update" and kept with these minutes.

In addition to the written report, Mr. Grier reported that he had taken some cases to court and one person had been ordered to pay the Town of Palmyra \$100.00, another to pay the Town \$150.00, one person is going to trial and there were two "no-shows."

2. Mobile Home Park Approvals

Mr. Grier reported that Dr. Lorenz (Health Officer), a NYS inspector and he inspected the mobile home parks in Palmyra. None are ready for approval. He stated that letters have been sent out to the park owners and they have been given 60 days to correct the problems.

MOB. HOME PRK.
APPROVALS

AGENDA ITEMS

1. Wayne County Board of Supervisors Update

WCBS UPDATE

Supervisor Lyon reported that nothing spectacular has been happening at the County; it has been business as usual for the moment.

2. Wayne County Water Authority Update

WATER AUTH.
UPDATE

Supervisor Lyon told the board that the waterline is in on Vienna Road, Rt. 21 N and is in progress on Cole Road. He said that the Authority is working with the towns on the new contract and the collection and billing problem is on-going.

3. Joint Town and Village Offices Project

JOINT TN AND VIL
OFFICES PROJECT

Robert Grier told the board that two reports have been sent back to him at this point out of the four requests that he sent out. He recommends SEA Consultants because local people are associated with this firm and they will do the work for nothing. David Nussbaumer moved to have SEA Consultants, LLC, Engineers do a cost study of renovating the Village Hall to be used as combined Village/Town Offices. Seconded by: Michael Lambrix Carried: Unanimously

MTN TO DO COST
STUDY OF VILL.
HALL RENOVATN

MTN CARRIED

4. Declare Town Lead Agency - Master Plan

Lynne Green moved to declare the Town Board, Town of Palmyra, as Lead Agency for the Town Master Plan. Seconded by: David Nussbaumer Carried: Unanimously

MTN TO DECLARE
TN/PAL LEAD ADCY
FOR MASTR PLAN

MTN CARRIED

5. Transfer of funds

Michael Lambrix moved the following fund transfer:

MTN FOR XFER OF
FUNDS

FROM	TO
Part-town contingency B1990.4	Part-town Planning/ Master Plan B8021.4
\$1,915.00	\$1,915.00

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

JUNE 26, 1997

6. Resignation of David Husk

MIN TO APPRV
RESIGNIN OF
DAVE HUSK FROM
ZBA

Michael Lambrix moved to accept, with regrets, the resignation of David Husk from the Zoning Board of Appeals.

Seconded by: Lynne Green Carried: Unanimously

MTN CARRIED

Following a review of the expenditures and claims submitted, David Nussbaumer moved to approve

MIN TO APPRV PMT
of CLAIMS -
ABSTRACT 6

payment of same as shown on Abstract #6, with totals as follows:

<u>Account</u>	<u>Invoice #</u>	<u>Amount</u>
General fund (A)	198-226	\$ 8,395.57
Part Town Fund (B)	89-111	\$13,921.87
DA	128-143	\$ 5,421.83
DB	25-37	\$ 8,311.97
NW	16-17	\$ 3,873.61
SW	9-11	\$ 2,495.41
EW	11-13	\$ 2,478.11
CW	26-30	\$12,168.89
HC	12-14	\$24,413.50

Seconded by: Lynne Green Carried: Unanimously

MTN CARRIED

with the exception of Invoice #26 on which Supervisor Lyon voted naye.

Supervisor Lyon reminded the board that there will be a workshop meeting on Thursday, July 10, 1997 at 8:00 PM at the Town Office with the possibility of some business to attend to.

WRKSHP MTG DATE

The motion to adjourn this meeting of the Town

MIN TO ADJOURN

Board was offered by Michael Lambrix.

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

Respectfully submitted,
Beverly E. Hickman
Beverly E. Hickman
Town Clerk

Workshop Meeting

WRKSHIP MTG
CALLED TO ORDER

The workshop meeting scheduled to be held on Thursday, July 10, 1997 at the Town Office, was called to order at 8:00 PM and ended at 9:15 PM.

Business Meeting

BUS. MTG.
CALLED TO ORDER

The business meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, July 10, 1997 at the Town Office, 201 E. Main Street, Palmyra, was called to order at 9:25 PM by Town Supervisor David C. Lyon.

ROLL CALL

Upon roll call, the following Town Board members were present:

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

(Lynne Green was absent)

Others present at this meeting included:

- Shawn Koh - the Courier-Journal
- Nelson F. Cook - Highway Superintendent

Item #1 - Proposed Local Law #1 of 1997

PROPOSED LOCAL LAW #1

Proposed Local Law #1 of 1997 entitled "New York State Uniform Fire Prevention and Building Code Administration Law" was placed on the desks of the Town Board for consideration.

PROPOSED LOCAL LAW #2

Item #2 - Proposed Local Law #2 of 1997

Proposed Local Law #2 of 1997 entitled "Telecommunications Towers Law" was incomplete at this time. It will be presented to the Board at a later date.

PROPOSED LOCAL LAW #3

Item #3 - Proposed Local Law #3 of 1997

Proposed Local Law #3 of 1997 entitled "Property Nuisance Abatement" was incomplete at this time. It will be presented to the Board at a later date.

RECORD INVTY HELP

Item #4 - Approval to hire help to do record inventory to prepare us for possible grant from SARA - Becky Remington proposed 2 - 2 1/2 weeks to complete with a flat payment of \$250.00

MTN TO HIRE B. REMINGTON

Michael Lambrix moved to hire Becky Remington to

help do a record inventory to prepare us for possible grant from SARA at a flat payment of \$250.00.

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

Item #5 - Declare section of Stafford Rd. abandoned

ABANDONED SEC.
OF STAFFORD RD

This matter was not complete, therefore will be taken care of at the regular meeting of the board.

Item #6 - WCWA

The following agreement was received from the Wayne County Water and Sewer Authority:

AGREEMENT FROM
WCWSA

May 21, 1997

Arthur D. Ainsworth, Supervisor
Town of Macedon
30 Main Street
Macedon, NY 14502

Margaret M. Churchill, Supervisor
Town of Walworth
3600 Lorraine Drive
Walworth, NY 14568

Monica Deyo, Supervisor
Town of Marion
3823 N. Main Street
PO Box 260
Marion NY 14505

David C. Lyon, Supervisor
Town of Palmyra
201 E. Main Street
Palmyra, NY 14522

Dear Supervisors:

The purpose of this letter is to confirm our mutual understanding on certain transition items as we move from the current arrangement between the Town and Authority, under the Inter-Municipal Agreement dealing with water supply and the Service Agreement dealing with operation and maintenance, toward implementing the lease agreements entered into by the Authority with each of your Towns.

Our mutual understanding is that the current Intermunicipal Agreement and Service Agreement will terminate when the lease agreements becomes operative later this year. Both the Intermunicipal Agreement and Service Agreement have provisions where actual costs of providing water and services will be reconciled from time to time, and adjustments will be made to the actual charges by the Authority to the Towns. By mutual agreement, the Towns and the Authority have not enforced these provisions, but have not carried forward any surplus/deficit from year to year, because of our mutual desire to keep the water rates stable. Similarly, we have mutually agreed that no adjustment will be made on the transition from the current agreements to the lease. We have agreed that any amounts that

the Authority has collected under the current agreements in excess of its actual costs will be retained by the Authority as reserves. Specifically, the Authority intends to apply any excess amounts towards supply and transmission improvements to be made to serve the Towns of Marion, Macedon, Palmyra and/or Walworth.

Please countersign below the enclosed copy of this letter to confirm this mutual agreement and return to me.

Very truly yours,
WAYNE COUNTY WATER AND
SEWER AUTHORITY
By: David C. Lyon, Chairman

MIN TO AUTH.
SIGNING OF
ABOVE AGRMT.

David Nussbaumer moved to authorize Supervisor Lyon to sign the original of the above agreement.

Seconded by: Michael Lambrix

MIN CARRIED

Roll call vote called: David Nussbaumer - Aye
Michael Lambrix - Aye
James Welch - Aye
Lynne Green - Absent
David C. Lyon -
Abstained
(Conflict of Interest)

Item #7 - Approve purchase of post driver

David Nussbaumer moved to approve the purchase of a post driver for the Highway Department.

MIN TO APPROVE
PPCHS PF POST
VER

Seconded by: James Welch Carried: Unanimously

MIN CARRIED

The motion to adjourn this business meeting of the Town Board was offered by Michael Lambrix.

MIN TO ADJRN

Seconded by: David Nussbaumer Carried: Unanimously

Respectfully submitted,
Beverly E. Hickman
Beverly E. Hickman
Town Clerk

PUBLIC HEARING
SPECIAL USE PERMIT - R. MORGAN
PERMIT TO BUILD & OPERATE A 99 UNIT
MANUFACTURED HOME PARK

The Public Hearing to consider the application of Robert Morgan to have a Special Use Permit to build and operate a 99 unit manufactured home park (adjourned from June 26, 1997) was held at the Palmyra Fire Hall on Monday, July 28, 1997 and was called to order at 8:00 PM by Town Supervisor David C. Lyon.

PUB. HRG.
SPECIAL USE PRMT
MOBL. HOME PRK.

CALL TO ORDER

The following persons were in attendance at this public hearing, in addition to the Town Board members:

Robert Morgan (applicant)	
Joseph SanFilippo (spokesman for applicant)	
Gary Mattison (NY Manufactured Housing Assoc.)	
Robert Seeley (Engineer)	
Joseph Burm (Commander, VFW)	
Robert K. Jagger	Marv Garland
Robert Meyers	George Tilburg
Randy Trask	Kathy Diebert
Frank and Beverly Koeberle	
Shirley Tilburg	Wilda Payne
Pat Baldauf	Martha Beato
David Greenlaw	Esther Deys
James Deys	Barry K. Wiedrick
Robert and Diane Schram	John C. Sroka
Dave and Tammy Wilsey	Beverly Parker
Shirley Doyle	Bill VanderMallie
Butch VanderMallie	Bob Naird
Shawn Koh - the Courier-Journal	
Elaine Hartnagel - the TIMES	
Nelson F. Cook - Highway Superintendent	
Robert Grier - Code Enforcement Officer	

The reading of the legal notice was waived because it has been read previously.

Robert Morgan apologized to the Board for the misunderstanding regarding the presentation at the last meeting. He said he did not realize that the Board has wanted a complete presentation. He introduced Gary Mattison from the New York Manufactured Housing Association to those present.

Mr. Mattison gave his a brief description of his personal background. He then said that Robert Morgan exemplifies the kind of person we would like to have in every community. He said that it was

JULY 28, 1997

with great pleasure that he spoke on Mr. Morgan's behalf. He went on to say that every aspect of a manufactured home is inspected at least three times and that they are very good homes. He said the State of New York, Department of State is now in charge of manufactured housing and if they are set up properly, they will last forever. He said the reasons for wanting to live in a manufactured housing community vary greatly; Young people starting out; retirees looking for less maintenance; people just looking for good quality for their dollar; etc. He added that this will not be a trailer park, it is going to be a manufactured housing community and most people take pride in their community and in ownership. A video showing manufactured housing communities was then shown.

Robert Morgan explained that when complete, there will be 99 units, a community center, a baseball diamond, public water and a park.

LETTER FROM VFW

At this time, Joseph Burm, newly elected Commander of the Palmyra VFW, read the following letter into these minutes:

July 7, 1997

Mr. Robert Morgan
PO Box 17656
Rochester, NY 14617

Dear Mr. Morgan,

We, from the Palmyra V.F.W. would like to apologize to you for the unauthorized comments credited to the V.F.W. at the June 26th Palmyra town Board meeting. We realize that these comments were embarrassing and damaging to your project. We feel bad that this had to happen, especially since we had reached an agreement and compromise concerning our shooting privileges on your land.

Please be advised that to attempt to rectify this situation, we are planning the following course of action:

1. Letter of explanation and apology to you.
2. Letter to the Town Board rescinding comments made on behalf of the Palmyra V.F.W.
3. Notice of retraction in the local paper concerning these comments with a copy to the Palmyra town Board.

4. An authorized V.F.W. spokesman at the next town board meeting to express our position and to answer questions.
5. A letter to you from the Commander of the North-East Region of the N-SSA expressing regret for the unauthorized commentary regarding the N-SSA position on this matter. (A copy will be sent to the Palmyra Town Board.)

We sincerely hope that this will neutralize this embarrassing situation for both of us.

Respectfully,
Joseph Burn, Commander
Palmyra Memorial Post 6778 V.F.W.

(Mr. Burn explained that he is the authorized V.F.W. spokesman and that he was not the Commander at the last meeting.)

Robert Morgan - Regarding the rules and regulations, read Section 233 of the NYS Real Property Law and passed pictures of the parks he already owns.

Robert Seeley - This is a 43 acre parcel; there will be no utility poles (everything will be underground). Explained the perc tests and stated that J. R. Engineering is helping with the pump stations. The site distance to the west is 639 ft. and to the east is 741 ft; required site distance is 450 ft. He said that 55% - 60% of the residents will be retired persons and they could use RTS and the WATS bus; Port Gibson fire district with mutual aid from Palmyra and East Palmyra; trash pickup will be done by a private hauler. The shopping done by these residents will enhance the Town of Palmyra.

Bob Jagger - Read the following letter:

We, Robert and Madelyn Jagger, believe that the following actions by the Palmyra Town Board should be implemented before any vote is taken on Mr. Morgan's project at 3119 Route 31, in the Town of Palmyra, due to the size of the project and the potential for development - beyond his proposal.

First - The Department of Environmental Conservation be requested to do a complete environmental-impact to determine the effect this project will have on all adjoining property and the local environment.

Second - The New York State Department of Transportation should be asked to make a

JULY 28, 1997

safety study as well as a traffic-flow study on Route 31, at this site.

Third - The New York State Department of Health should be requested to make a full study to determine the effect of this project on the health and well-being of the neighbors and the neighboring property.

We feel that these studies should be done by impartial State Agencies so a true picture can be determined, with all reports presented at the same time to both the public and Mr. Morgan.

Then, and only then, would the Town Board of Palmyra have the information necessary to make a true evaluation of this application and its effect on the town of Palmyra and its services.

Bob Jagger - The phrase "meet national standards" has been used: Does that take any approvals out of local hands?

Gary Mattison - The local building inspector is in charge of the Certificate of Occupancy and the Certificate of Completion. This does not differ much from a site built home.

Bob Naird - If there was an accident at the intersection, how could an ambulance get in there?

Joseph SanFilippo - There will be a median up thru the center of the entrance, therefore an ambulance could easily get in there.

John Sroka - What are you planning in the future? Bob Seeley - The first phase will include 46 units and an RV - storage area. There are some overhead powerlines that will need roadwork under them and then phase two will take the project to 99 units, the community center and baseball field.

David Greenlaw - It is possible to have an elegant mobile home park. We have a Master Plan draft on the table right now. This plan will take much of the burden off the Town Board when it is approved. He would like to urge the Town Board to defer acting on this request until the Master Plan has been approved.

Beverly Hickman, Town Clerk, stated that she

had received a phone call that afternoon from Bill Malone, 2026 Pt. Gibson Road. He told her that he was unable to attend tonight's meeting, but would like to go on record as being opposed to the modular home park.

At this time George Tilburg presented the board with a addition to the original petition he had given them. The petition reads as follows:

PETITION ADDT'N
TO ORIGINAL
FROM RESIDENTS

The names listed below are against approval of the application submitted by Robert Morgan for Special Authorization to have a mobile home park on Route 31, Town of Palmyra, NY. The names listed below are all residents of the Town of Palmyra, NY. (There are 43 additional names on this petition.)

George Tilburg - Stated that he had had a discussion about this project with Bob Grier, CEO. Then he received a phone call from SanFilippo and he and his wife, Shirley, met SanFilippo for lunch. He said they were given the usual sales pitch and then told that he (Tilburg) was in violation of the zoning ordinance himself; using practically the same words that Bob Grier had used earlier. Shirley said that it sounded like blackmail to her. He asked if this was the way we have to do things.

Bob Grier, CEO - Was not sure of the reference Tilburg was making, but wanted to reassure him that everything was legal and above board.

Elaine Hartnagel - We do have zoning laws to protect the people that live here. Her second concern was about the site distance; there have been many "near misses" along Rt. 31.

Joe SanFilippo - Called the Wayne County Sheriff's Department and asked about accident records in this area. Stop DWI told him in the Galloway bridge area they had a record of two accidents in three years.

Ken Jagger - Does that reflect both the State Police and the Sheriff's Department records? Joe

JULY 28, 1997

SanFilippo told him that Stop DWI does include both agencies.

Bob Jagger - Rochester Regional says that in the PM there is a average of 680 cars per hour and that study was done in 1992 to there are probable more today.

John Sroka - Has a 80 foot driveway and has to wait at least 2 - 3 minutes to get out onto 31.

Supervisor Lyon - The DOT will put in a stoplight if they feel it is necessary. They can require anything they want, they call the shots.

Frank Koeberle - His concern is the extra taxes. These parks can look very nice; no problem with that, but why don't they generate more taxes?

Supervisor Lyon - The assessment is up to the Assessor, not this Board.

Joe SanFilippo - Met with Ann Vingee-Taber, Assessor, and did come comparisons. Found that taxes should run about \$800 to \$900 per unit.

Bob Jagger - The state has told Ann that by state's standards all parks are under-assessed.

Supervisor Lyon - The town's assessment are only off less than 1% of the average.

Gary Mattison - He cannot speak for the assessor, it is her call. Whatever the value of the unit, is what should be placed on it.

Bob Jagger - Planning Board report is saturated with older people and will not help our tax base, so you are adding to our problem.

Bob Morgan - Read the following letter from the Town of Newfane:
September 6, 1996

LETTER FROM TOWN
OF NEWFANE

Countryside Mobile Home Park
Mr. Robert Morgan
P.O. Box 16756
Rochester, New York 14617

Mr. Morgan:

I am responding to your request regarding the Countryside Mobile Home Parks impact on

Newfane and the immediate area. The park was approved in 1987 and started putting units in on the fall of 1988. Since that time there have been (60) sixty double wide units and (24) twenty-four single wide units put in, with new units going in weekly. The park is extremely well taken care of and all roads are paved. Every single unit is very well maintained. This park was originally abandoned agriculture with minimal tax income to the town.

The park currently pays approximately \$60,000 in taxes yearly. The town also receives approximately \$11,000 per quarter in garbage and sewer fees.

I have researched sales of residential and commercial property in the immediate area over the past eight years. There has been three new houses built, (14) Fourteen sales of homes and two new businesses. There is absolutely no loss of value compared to sales of like homes in other areas of the town.

If you have any questions regarding this, please contact me at 716-778-8827.

Sincerely,
Charles V. Boyer
Town Assessor

Bill VanderMallie - Did you people apply in any other towns? Bob Morgan- Yes, the Town of Bergen is still pending; Town of Macedon turned me down; and there is another town still pending.

Randy Trask - Who will they buy these manufactured homes from? Bob Morgan - Any approved dealer. Trask - Can they take these homes with them if they move? Morgan- That is their prerogative.

Tammy Wilsey - There have been two accidents in that area in the last week. She thought they had said that these homes would appreciate - not depreciate. Supervisor Lyon - He thinks they are referring to reportable accidents, not fender benders. Bob Morgan - Older units (pre 1976) do depreciate. Elaine Hartnagel - DWI keeps records on DWI accidents only.

Bill VanderMallie - Is there a year limit for what you will allow to go in there? Bob Morgan - Brand new only.

JULY 28, 1997

Chris Klahn - You would own the water lines in the park; who will be checking the hydrants? Bob Morgan - The Department of Health. Supervisor Lyon - Feel assured that the hydrants will be checked regularly.

Bill VanderMallie - Will school taxes go to Newark? Supervisor Lyon - This property is right on the line; it is actually Palmyra school district.

Bill VanderMallie - If this is going to be elderly plus 45% younger, what impact will it have on the school district? Joe SanFilippo - Talked with Bill Nichiporuk, Assistant Superintendent of Business, and he does not see any impact nor does Dave Husk, President of the School Board. Bill Myers - You have to remember that the rest of the town is growing too. Joe SanFilippo - Many people in the park will be people that already live in Palmyra. Supervisor Lyon - Every property has the potential of having children.

Tammy Wilsey - If these people already live here how is that going to increase the amount of shopping done here?

Bill VanderMallie - What is the monthly rent on a plot? Bob Morgan - \$250.00 - \$260.00 per month. VanderMallie - If, in time, lot rent goes up, mortgage goes up, utilities go up; who can afford this? Bob Morgan - People are buying homes all the time and all those things go up for them too; it's no different.

Marv Garland - The national average is 2 1/2 children per home. That will be a large impact figuring 45 homes with children.

Mike Lambrix - On 7/7 Seeley submitted a letter with a map; is this a final map? Seeley - preliminary map. Lambrix - Why weren't parts 4 -12

completed? Seeley - This is a preliminary plan.
Lambrix - When do you plan on completing this?
Seeley - We have to go to the Town Planning Board again for final approval and it will be complete before then. Lambrix - The description in the application says a 99 unit park; you are talking about 46 units. Seeley - The final project will have 99 units; phase 1 has 46 units. Lambrix - We should go through the SEQOR and work out a few things. Also, how can you drain lot 36, 13, & 12 without going thru lot 42? Seeley - The final plans will show drainage and runoff. Lambrix - Is this property in the water district? The following letter was then read by Joe SanFilippo:

July 23, 1997

Mr. Bob Raemen
Sniedze Associates
343 North Main Street
Canandaigua, NY 14424

LTR FROM
SNIEDZE ASSOC

RE: PROPOSED PRE-MANUFACTURED HOME PARK IN
THE TOWN OF PALMYRA - ROUTE 31 EAST

Dear Bob,

As a follow-up to our phone conversation on Monday, July 21, 1997, I wish to advise you of the request that was received by Ed Bastian of the Wayne county Water & Sewer Authority, asking for a letter which indicates that the Authority can supply the referenced mobile home park along Route 31 in the Town of Palmyra.

Mr. Bastian has informed me that the developer has requested approval for 100 units with a projected average total water demand of 25,000 GPD, and a peak domestic demand of approximately 100 GPM.

MRB group, P.C. is prepared to evaluate the ability to supply this additional demand based upon the existing Town distribution system that is in place. At this time, however, we would like confirmation from the Village of Palmyra that the additional demand for the proposed development can be provided through the Route 31 pump station without adversely affecting the Village system or altering internal pump operations.

We would be glad to meet with you to jointly evaluate this request if you so desire.

The developer, Mr. Joe SanFilippo is awaiting a response from the WCW&SA, once the evaluation is complete.

JULY 28, 1997

Should you have any questions in regard to this matter, please feel free to give me a call.

Very truly yours,
Martin J. Aman
MRB/group, P.C.

Lambrix - You will need a 8" line; has anybody told you that? Seeley - We will increase it if necessary. Lambrix - the drainage situation is a big problem. Seeley - We are at a preliminary stage; everything will be done properly; a lot of the things you are asking for are not done until the final plan. Lambrix - These people need to know all of this information we are trying to cover. This may be a good concept, but information is not right; even for a preliminary it is not right.

Supervisor Lyon - Do any of the other board members have any questions? Nussbaumer - What about curbs? Seeley - We will be using the roadside swales. Welch - Set backs in the Rt. 31 area has to be 75' or 50'; what is the length of the home? Seeley - 44' to 70' depending on the style.

Elaine Hartnagel - Regarding taxes; what will the assessment be? Supervisor Lyon - That is up to Ann (the assessor).

Marv Garland - What about the gas line?
Seeley - We will have them relocated.

Bob Myers - Going back to the beginning, not all of the information is ready again at this meeting.

George Tilburg - What is going to happen to that clay when it is moved around? Seeley - The clay soil is from digging out the canal. The project is only using 19 acres and we have 43 acres available to us. The top soil can be placed over the clay area in order to grow grass.

Marv Garland - Did someone say it has been re-zoned? Bob Grier - Not yet; that is part of the Master Plan that is in progress. You should keep in mind that the process we are going through right now is not for permission to build a mobile home park; it is just approval for a mobile home park permit. Then the whole idea has to go to the Planning Department for final approval to actually build a mobile home park.

Supervisor Lyon - The Town Board has 45 days to either approve or disapprove this project. The decision can be postponed if it is agreeable with all parties concerned. Lambrix - Will 30 days give you enough time to get the rest of the information ready? Morgan - Yes it will. SanFilippo - We are working with the preliminary plans and this is the second time we have had to come back and now we are going to have to come back again just to ask for permission to have a permit for this park. We still won't know if we will get a building permit. Bob Myers - You can't ask the board to sign a blank check.

Jim Welch - The application is for 99 units and you are asking for 46 units in one phase only; we are entitled to see the entire plan.

Supervisor Lyon - The Board is requesting more information from you. If you agree, we can continue this on Thursday, August 28, 1997. The town needs a letter agreeing to a 30 day delay. Morgan - You will have one.

Seeley - Where does the preliminary stage stop and the final stage start? Supervisor Lyon - Work with Bob Grier, Code Enforcement Officer on that.

Michael Lambrix moved to adjourn this public hearing until Thursday, August 28, 1997 at 7:30 PM at the Palmyra Fire Hall.

Seconded by: Jim Welch Carried: Unanimously

MIN TO ADJRN
HRG TO 8/28
AT FIRE HALL

MTN CARRIED

REGULAR TOWN BOARD MEETING

CALL TO ORDER The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, July 28, 1997 at the Palmyra Fire Hall, E. Main Street, Palmyra, was called to order at 10:20 PM by Town Supervisor David C. Lyon.

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

ROLL CALL Upon roll call, the following Board members were present:
 Town Supervisor - David Lyon
 Town Board Members - David Nussbaumer
 Lynne Green
 James Welch
 (Michael Lambrix left following the public hearing)

MTN TO APRV
6/26 & 7/10
MINUTES David Nussbaumer moved to approve the minutes from June 26, 1997 and July 10, 1997 as corrected.
 Seconded by: James Welch Carried: Unanimously

MTN CARRIED The Supervisor's Monthly Report was accepted by the Board for filing.

SUPRVSR'S REPT
ACCEPTD

COMMUNICATIONS

COMMUNICATIONS

1. The Church of Jesus Christ of Latter-Day Saints RE: Speed reduction
2. Wayne County Board of Elections RE: Election Inspectors
3. Time Warner Communications RE: Increased channels
4. Ft. Gibson Fire Dept. - Request for re-evaluation of fire contract prior to budget
5. Dept. of Agriculture & Markets - Final Notice of Intent for watermain construction is complete

REPORTS OF STANDING COMMITTEES

ASSESSMT COM.
REPORT

Assessment Committee - Lynne Green, Chairman
 1. Assessor Update

The Assessor, Ann Vingee-Taber, 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 stated that she has a problem with the Board of Assessment Review undermining the assessor's decisions.

REGULAR TN BD MTG W/PUB HEARING

JULY 28, 1997

Highway Committee - David Nussbaumer, Chairman

HWY COMM RPRT

1. Speed Zone request for Stafford Road

This matter was turned over to Nelson Cook, Highway Superintendent.

SPEED ZONE
REQUEST -
STAFFORD RD

2. Approval for Highway Superintendent to attend the fall conference - not to exceed \$550

APPRVL FOR HWY
SUPER TO ATTND
FALL CONF.

David Nussbaumer moved to authorize Nelson Cook, Highway Superintendent, to attend the fall conference at a cost not to exceed \$550.00.

MTN TO AUTH APRVI

Seconded by: Lynne Green Carried: Unanimously

MTN CARRIED

3. Equipment/Repair Account

Mr. Cook reported that his Equipment/Repair Account is almost depleted. He said the sweeper repair cost almost \$4,500 and one truck has cost almost \$8,000 for repair. His Equipment Purchase Account has money that can be transferred if necessary. He just wanted the Board to be aware of this.

EQUIP/REPAIR
ACCT ALMOST
DEPLETED

Planning Committee - James Welch, Chairman

PLANNING COMM.
REPORT

1. Set Public Hearing date for proposed LL #1 of 1997 entitled "NYS Uniform Fire Protection & Building Code Administration Law"

PUB HRG DATE FOR
LL#1

James Welch moved the following:

WHEREAS, the Town Board has caused to be prepared proposed regulations regarding local administration of the New York State Uniform Fire Prevention and Building Code, and

MTN TO SET DATE

WHEREAS, the Town Board deems it appropriate that local legislation be considered for adoption to administer the Uniform Code in the Town,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the proposed regulations in the form of proposed Local Law No. 1 of 1997, entitled New York State Uniform Fire Prevention and Building Code Administration Law of the Town of Palmyra be, and the same hereby is, introduced to the Town Board and copies thereof disseminated to

REGULAR TN BD MTG W/PUB HEARING

JULY 28, 1997

all members of the Town Board and placed on file with the Town Clerk for public inspection during normal business hours, and

2. That a public hearing be held upon the question of adoption of such Local Law, to be held on the 28th day of August, 1997, at 7 PM at the Palmyra Fire Hall, and the Town Clerk is directed to publish and post notice of such hearing in accordance with section 20 of the Municipal Home Rule Law.

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

2. Set Public Hearing date for James Boening - Special Use Permit to operate a Archery Range & Retail Store

MTN TO SET PUB HRG
DATE FOR BOENING
SPECIAL USE

Mr. Welch moved to set August 28, 1997 as the

Public Hearing date to consider the application of James Boening for a Special Use Permit to operate a Archery Range & Retail Store at 9 PM at the Palmyra Fire Hall.

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

3. Special Use - Robert Morgan - Subject of Public Hearing

PUB HRG FOR
MORGAN CNT'D
8/28

The remainder of this Public Hearing will be held on Thursday, August 28, 1997 at 7:30 PM at the Palmyra Fire Hall.

Zoning Committee - Michael Lambrix, Chairman

ZONING COMM UPDATE

1. Code Enforcement Officer Update

Robert Grier, Code Enforcement Officer, submitted a written report that will be kept in the file folder entitled "Assessor Update/Code Enforcement Officer Update" and kept with these minutes. Mr. Grier also told the Board that the village hall renovation figures would be available Aug. 14, 1997

2. Tower Moratorium

MTN TO EXTEND
TWR MORATORIUM
90 DAYS

James Welch moved to extend the tower moratorium for 90 days, which will make it expire on October 26, 1997.

Seconded by: David Nussbaumer Carried: Unanimously

MIN CARRIED

3. Budget Adjustment

David Nussbaumer moved to authorize the following

MIN TO AUTH
BUDGET ADJUSTMT

budget adjustment:

	<u>FROM</u>		<u>TO</u>
Part Town Equipment		Part Town Contractual	
B8015.2	\$757.07	B8015.4	\$757.07

MIN CARRIED

Seconded by: Lynne Green Carried: Unanimously

AGENDA ITEMS

1. Authorize pre-engineering study for sewerline on Rt. 21S

AGENDA ITEMS

David Nussbaumer moved to authorize the pre-engineering study for the proposed sewerline on Rt. 21S

MIN TO AUTH
PRE-ENGI STUDY
FOR PROPSD
RT 21 SWRLINE

in a amount not to exceed \$1,500.00

Seconded by: Lynne Green Carried: Unanimously

MIN CARRIED

2. Stafford Road - Consent of the Town Board to Lay out the highway

David Nussbaumer moved to approve to lay out the Stafford Road change of location as requested by the Mormon Church.

MIN TO APRV
LAYOUT OF STAFFER
RD LOCATION

Seconded by: James Welch Carried: Unanimously

MIN CARRIED

3. Budget Adjustment

David Nussbaumer moved to approve the following

MIN TO APRV
BUDGET ADJUSTMT

budget adjustment:

	<u>FROM</u>		<u>TO</u>
Central Water Contingency		Central Water Meters/ New Service	
FC1990.4	\$905.00	FC8340.23	\$905.00

MIN CARRIED

Seconded by: Lynne Green Carried: Unanimously

Following a review of the expenditures and claims submitted, David Nussbaumer moved to approve same as shown on Abstract #7 with totals as follows:

MIN TO APRV
PMT OF CLAIMS
& EXPEND.FOR
ABSTRACT 7

<u>Account</u>	<u>Invoice #</u>	<u>Amount</u>
General fund (A)	227-264	\$ 8,115.53
Part Town Fund (B)	112-125	\$ 2,739.64
	144-159	\$ 4,741.16
DA	38-51	\$39,854.20
DB	18-20	\$ 4,548.86
NW	12	\$ 812.00
SW	14	\$ 216.00
EW	31-32	\$ 8,370.32
CW		

REGULAR TN BD MTG W/PUB HEARING

JULY 28, 1997

HC	15-16	\$16,800.00
Trust & Agency	5-06	\$ 2,823.32

MIN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

MIN TO ADJORN

The motion to adjourn this Town Board meeting was offered by Lynne Green, seconded by David

MIN CARRIED

Nussbaumer and carried unanimously.

Respectfully submitted,

Beverly E. Hickman
 Beverly E. Hickman
 Town Clerk

TOWN BOARD MTG W/PUBLIC HEARINGS

AUGUST 28, 1997

PUBLIC HEARING
 PROPOSED LOCAL LAW #1 OF 1997 entitled
 "New York State Uniform Fire Protection &
 Building Code Administration Law"

PUBL. HRG
PROPSD LOCAL LAW
#1 OF 1997

The Public Hearing scheduled to be held at the Palmyra Fire Hall, East Main Street, Palmyra, on Thursday, August 28, 1997 to consider the proposed Local Law #1 of 1997 entitled "New York State Uniform Fire Protection & Building Code Administration Law" was called to order at 7:00 PM by Town Supervisor David Lyon.

Those present at this public hearing, in addition to the Board Members included:

Robert K. Jagger	Esther Deys
James Deys	Joseph SanFillipo
Barry K. Wiedrick	William ?
Robert E. Schramm	Michael Tonovitz
Robert Meyers	Wilda Payne
Frank & Beverly Koeberle	
John Sroka	Joseph Burm
Bruce Wideman	Sandra Boening
Ronald Wilson	Keith Nichols
Lee Michael	George Tilburg
Shirley Tilburg	Beth ?
Todd Hanagan	Bill Vander Mallie
Gary Rose - Animal Control Officer	
Pete Wilson - Mayor, Village of Palmyra	
Doris Wolf - D & C	
Shawn Koe - Courier-Journal	
Chris ? and Patti Holdraker - the TIMES	
Nelson F. Cook - Highway Superintendent	

David Nussbaumer moved to waive the reading of the legal notice due to the length.

MTN TO WAIVE
RDNG OF LEGAL
NOTICE

Seconded by: Michael Lambriz Carried: Unanimously MTN CARRIED

Supervisor Lyon asked those present for comments or questions regarding this proposed local law.

Robert Grier, Code Enforcement Officer, explained that the Village of Palmyra is working on this same local law. This will make things uniform throughout the Town and Village.

Supervisor Lyon again asked for any comments or questions regarding this matter. There being none he declared this public hearing closed at 7:04 PM.

HRG DECLARED
CLOSED

REGULAR TOWN BOARD MEETING

CALL TO ORDER

The regular meeting of the Town of Palmyra, scheduled to be held on Thursday, August 28, 1997 at the Palmyra Fire Hall, was called to order at 7:05 PM by Town Supervisor David C. Lyon.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Upon roll call, the following Town Board members were present:

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

MIN TO APRV
7/28 MINUTES

Michael Lambrix moved to approve the minutes of the July 28, 1997 Town Board Meeting as submitted by the clerk.

MIN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

SUPERVSR'S MO.
REPORT ACCEPTED

The Supervisor's Monthly Report was accepted by the Board for filing.

COMMUNICATIONS

None

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

ASSESSMT COM.
REPORT

1. Assessor Update

A written report was submitted by Ann Vingee-Taber, Sole Assessor, and can be found in the file folder entitled "Assessor Update/Code Enforcement Officer Update" as kept with these minutes.

2. Deputy Assessor

Supervisor Lyon, told the board that the Civil Service Department at the County says there is no such title.

MTG. TEMP. ADJ'D

Supervisor Lyon adjourned the remainder of this regular meeting until after the public hearings scheduled for this evening.

PUBLIC HEARING

ROBERT MORGAN - PERMIT TO BUILD AND OPERATE
A 99 UNIT MODULAR HOME PARK ON RT. 31

PUB. HRG.
R. MORGAN -
MOB. HOME PARK

The Public Hearing scheduled to continue on Thursday, August 28, 1997 at the Palmyra Fire Hall, East Main Street, Palmyra, to consider the application of Robert Morgan to obtain a permit to build and operate a 99 unit modular home park on Rt. 31, Palmyra, was called to order at 7:30 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

Those present were the same as the first public hearing held this evening.

The reading of the legal notice was waived by Supervisor Lyon.

RDG. OF LEGAL
NOTICE WAIVED

Robert Seeley, Engineer for this project, showed a overall sketch plan of the 99 units when completed. He stated that there will be 46 units in the first phase and 53 units in the second phase. He drew attention to where a second entrance had been sketched in and said that they are in the process of trying to purchase more land to make this possible.

Supervisor Lyon asked those present to state their name before making their comments.

Shirley Tilburg - We have been attending these meeting for a year and a half; petitions have been turned in against this project; this board was elected by us - when is this board going to listen to us?

Supervisor Lyon - We do consider your opinions, the Planning Board opinions and the owner's right to use his property. You have to remember there are over 7,000 people in the Town of Palmyra that have to be considered and that the Town and County Planning Board's have both approved this project.

George Tilburg - There have been seven accidents in this area since January 1, 1997; this should be considered also.

Bill VanderMallie - We already have 2 or 3 trailer parks between here and Newark already.

Pete Wilson - Are these going to be trailers or modular homes? Supervisor Lyon - Modular homes.

Unknown speaker - Why not put it to a town vote like Macedon did?

Supervisor Lyon - This is our job; we have to make a judgement call and we have to respect the owner's rights also.

Bob Myers - Shouldn't you try to follow something like a referendum vote? Supervisor Lyon - Our Mobile Home Ordinance is not set up that way. Myers - A request from a Judge could make you put it to a referendum. Did DEC do environmental study? Supervisor Lyon - It is only 99 units and they don't do less than 100 units.

Robert Grier - A environmental study is not required for 99 units. A Part 2 of the SEQR will be done tonight. The state does not get involved until after permit approval.

Marv Garland - What is the cost to the taxpayers? Do you have a blank check? Grier - The cost to the taxpayers is that of making copies only.

Bob Myers - This is planned for 99 units now - Later can the developer come back and ask for more? Grier - There is not room enough for a sewage treatment plant. The size could only be increased if they bought more property surrounding this parcel and that would be a separate project.

Bob Myers - Couldn't they try for another project to increase the size of this? Mike Lambrix - They are only allowed 4.0 mobile homes per acre; they would have to move the homes around, change the parking and put in a sewer treatment plant. Supervisor Lyon - I am not saying this is impossible, but I think we are pretty well protected.

Frank Koeberle - I have not heard anyone in favor of this; still concerned about taxes, if we have full value assessment these units should also be full value; I cannot see any advantage to the Town to have it.

Bob Myers - Has anybody been here that was in favor of this? Supervisor Lyon - I'm sure we have.

Joe SanFillipo - Mr. Morgan is in the hospital and could not be here this evening. He send his apologies. We are talking 44 acres here and it is nothing like a trailer park; this will be a modular home community. Right now this property pay about \$900 taxes per year; this project will pay much more. Remember the town does not do the road paving, plowing or brush pick-up; why shouldn't we get a tax break? Marv Garland - Why don't I get a tax break for my paved driveway? Supervisor Lyon - The assessment is done by the assessor only.

Bob Myers - What is the present ratio being paid today as compared to home owners? Supervisor Lyon - I do not have that figure at this moment.

George Tilburg - At the beginning someone said that Palmyra needs this; I don't think so. It is only so the owner can make money.

John Sroka - They said that the lot rent is going to be \$260 pr month; they are part owners of Prestige Acres and the rent there is \$320 a month. How long can they maintain that price? Supervisor Lyon - It's a business; if the rent is too high no one will live there.

Michael Tonovitz - What does it cost to buy a unit? Joe SanFillipo - About \$39,000. Tonovitz - It seems to me a modular home owner should pay less than my \$125,000 home. Wouldn't it be nice to have new people here? I support this idea.

Esther Deys - There are going to be 99 units on

44 acres; there will be 198 toilets, showers, dishwashers; where is all this water going to go?

Bob Seeley - Perc tests have been done in four areas for the first phase and there will be more done in other areas. It may end up that we cannot have 99 units due to the results. We are asking for approval to have 99 units and will see how many we can actually accommodate.

Frank Koeberle - How are the perc tests done?

Seeley - The same as for a single house. Koeberle - I would think it would be more realistic if you used a tank of water instead of a few inches. Do you end up with 250 feet of leach fields? Seeley - That depends on the position of the unit.

Bob Grier - The mobile home ordinance requires that the information is presented to the Town Board. The Town Board then says go ahead or stop. Then within one year the owner has to present additional information to the Palmyra Planning Board for final approval or not.

Bob Myers - We then lose our rights to input.

Supervisor Lyon - You can attend the Planning Board meetings if you want.

George Tilburg - Didn't you find solid clay out there? Seeley - We also found a bed of gravel.

Tilburg - There is a lot of clay; since you did at least 32 perc holes you have to have some good ones to tell us about.

Supervisor Lyon asked if there were any more comments and being none, he declared this public hearing closed at 8:10 PM.

PUBLIC HRG
CLOSED

Return to REGULAR TOWN BOARD MEETING

Highway Committee - David Nussbaumer, Chairman

HWY. REPORT

- 1. Request for schooling for DCO not to exceed \$150

SCHOOLING ROST

David Nussbaumer moved to approve schooling for our DCO at a cost not to exceed \$150.00.

MIN TO APRV REQUEST

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

- 2. Budget adjustment

David Nussbaumer moved to approve the following budget adjustment:

MIN TO APPRVE BUDGET ADJSTMT

<u>FROM</u>	<u>TO</u>
DA Highway Machinery- Equipment DA5130.2 \$ 478.86	DA Highway Machinery- Cont Expnses DA5130.4 \$ 478.86

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

At this time Supervisor Lyon adjourned the remainder of this Town Board Meeting until after the public hearing scheduled for 9:00 PM.

REG. MTG. ADJ'D TEMP

.

PUBLIC HEARING
JAMES BOENING - SPECIAL USE PERMIT
TO OPERATE A ARCHERY RANGE AND RETAIL STORE

J. BOENING PUBLIC HEARING

The Public Hearing scheduled to be held on Thursday, August 28, 1997 at the Palmyra Fire Hall, East Main Street, Palmyra, to consider the application of James Boening for a special use permit to operate a archery range and retail store on North Creek Road, was called to order at 9:00 PM by Town Supervisor David C. Lyon.

Those present were the same as the first public hearing held tonight.

The legal notice was read by the Town Clerk.

LEGAL NOTICE READ

Supervisor Lyon asked Mr. Boening to describe to those present what he would like to do. Mr. Boening talked about the archery range, the retail store and said that he would like to have about four social functions per year, such as a picnic or open house for

his customers. He said he would be glad to answer any questions anyone has.

Supervisor Lyon asked for any comments or questions from those present.

Larry Snyder - Is this just for indoor archery?
Boening - Yes, indoor. Snyder - 1/4 mile down the road a man could not start a business why should this person be able to? Supervisor Lyon - A special use was granted to that other person a long time ago. Each application has to be considered on it's own merit and what fits the neighborhood.

Todd Hanagan - He would like to go on record as in support of Jim Boening.

Keith Nichols - He also thinks it is a great thing and in a nice location.

Robert Pease - This area is zoned agricultural and that is why he moved there in the first place. There is a lot of retail space available; let him rent a store front. What about the game farm idea?
Supervisor Lyon - This board can limit whatever they want to; game farm not on this application; He will have to come back if he wants to add anything.

Keith Nichols - This is a family sport and will be a improvement to the Town of Palmyra.

Ron Wilson - Give the man a break; he is trying to do a home business and small businesses are important.

Jim Shannon - He recommends that people try this sport; he believes they will find it to be a good time.

Sandy Boening - This is a family oriented business. There was just a 4 year old in with his parents. Encouraging the kids to get involved.

Judy Snyder - Concerned about the traffic and how late they will be open at night. It is impossible to control the noise and it is too small a place.

John VanEllsworth - He is opposed to the traffic and the idea of commercializing the area. Environmental Impact studies need to be done and he would like to see them. He heard there was going to be a game farm, a 10 foot fence, two ponds dug, the trees and the swail area are going to be taken out and this is a natural area for deer to bed. Jim Boening - There may be ponds ten years down the road and that would need another special use permit; there will be no game farm; the 10 foot fence was when he wanted a game farm, not for this and he wouldn't want to stop the deer in the area from bedding.

Bob Pease - With 95% of the area residents against this idea he's surprised he wants to go forth with it.

Bob Meyers - He does plan to increase this business at some time, right?

Supervisor Lyon - Is there anything to stop the owner from digging a pond? Robert Grier - It is done a lot throughout the Town. Myers - He cannot move one shovel of dirt without permission. Grier - That is not true.

Keith Nichols - You have to respect the landowner to do what he wants within the laws.

Michael Lambrich - The hours of operation were bothering him. People have to get up to go to work in the morning. Why haven't you considered other places for this business? Boening - He wants to be around his family and have the family help with the business. Lambrich - How many square feet for the barn? Boening - 7500 square feet; 50' x 150' estimated size at this time. Lambrich - How much of this will be store and how much shooting range? Boening - 50' x 50' will be store and tables with the rest shooting range. Lambrich - I believe this is in the wrong area. Boening - It is the best area I could find in the

county. The closest neighbors are the Snyders and they will not see anything they don't already see. A big concern is heating costs and we can heat the house and the business with scrap wood from the property. I will go out of my way to get along with the neighbors. I will be a good neighbor.

Marv Garland - Is this a residential or agricultural area? Grier - Agricultural. Garland - Poretta's hours are limited, why not these? Supervisor Lyon - The board determines the hours. Grier - The hours asked for were less than what is here now. The Planning Board explained that he would have to go through this all over again if he decided he wanted more hours, therefore, additional hours were added now.

Rosalie Snyder - Opposed; leave the area agricultural.

Keith Nichols - Most people work 8 - 5.

Ron Wilson - The man has to be open when people can go there.

Jim Boening - This is zoned agricultural but it has not been farmed for years; nothing will be damaged by my business.

Bob Pease - Listen to us; we don't want this bordering the residents.

Rosalee Snyder - Has lived there a long time; why commercialize it now?

Keith Nichols - There won't be any guns and there is no noise from bows.

Bob Pease - Are there plans for splat ball in the future? Boening - No.

Carol Batterby - Can you guarantee there will be no "pig thing"? How are you doing in Macedon?

Boening - We cannot afford the "pig thing" and we are surviving in Macedon.

Carol Batterby - Traffic is already bad and this will cause more. Supervisor Lyon - Traffic is not

good anyplace in the Town.

Supervisor Lyon directed the Town Clerk to read the following recommendation from the Palmyra Planning Board into these minutes:

PLANNING BRD
RECOMMENDATION

Date: August 12, 1997
To: Bev Hickman, Town Clerk
From: Dan Wooden, Deputy Code Enforcement Officer
Re: Boening Special Use Permit

At the August 11, 1997 hearing of the Town Planning Board a motion was made to recommend approval of the above referenced application. The motion was passed by a unanimous vote with the following conditions:

1. Retail sales of archery and splatball equipment and an indoor archery range.
2. All commercial activity is to be conducted inside the proposed building.
3. Hours of operation will be limited to: Weekdays 9AM to 9PM, Saturdays 9AM to 10PM, Sundays 12PM to 8PM.
4. Any future development of the property must conform to all State & Local Building and Zoning Codes.
5. Landscape buffers are required to enhance the privacy of any neighboring properties.

Supervisor Lyon asked if there were any more comments or questions that have not already been discussed. There being none, he declared this public hearing closed at 9:40 PM.

PUB. HRC.
CLOSED

Return to REGULAR TOWN BOARD MEETING

Planning Committee - James Welch, Chairman

TN BRD MTG
OPENED

1. James Boening - Special Use Permit to operate a archery range & retail store - Subject of Public Hearing

Michael Lambrix moved to decline the application of James Boening for a special use permit to operate a archery range and retail store on North Creek Road. Seconded by: James Welch

MTN TO DECLINE
BOENING APPLIC.

Supervisor Lyon asked why Lambrix did not want this. He stated that it is the wrong place for it.

Supervisor Lyon explained to everyone that this was a negative motion and a naye vote would approve it, not disapprove it. He then call for a roll call vote:

ROLL CALL VOTE

- Michael Lambrix - Yes
- James Welch - Yes
- Lynne Green - Naye
- David Nussbaumer - Naye
- David Lyon - Naye

MTN DENIED

Motion denied.

MTN TO APPRV
SPEC USE TO HAVE
ARCHERY RANGE
AND RETAIL STORE

Lynne Green then moved to approve the special use permit for James Boening to operate a archery range and retail store on North Creek Road with conditions as set down by the Palmyra Planning Board.

Seconded by: David Nussbaumer

A lengthy discussion followed. Lynne Green called the question. Supervisor Lyon asked for a roll call vote;

James Welch - Aye
 Lynne Green - Aye
 David Nussbaumer - Aye
 Michael Lambrix - Naye
 David Lyon - Aye

MTN CARRIED

MTN TO
SET PUB HRG DATE
BUTCH BOWENS
SPECIAL USE -
DISPLAY SIGN

2. Set Public Hearing date for Butch Bowens
 - Special Use for a display sign

James Welch moved to set Thursday, September 28, 1997 at 8:00 PM at the Town Office to hold a public hearing for Butch Bowens for a special use to have a display sign.

MTN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

Zoning Committee - Michael Lambrix, Chairman

ZON. COMM.
REPORT

1. Code Enforcement Officer Update

The Code Enforcement Officer, Robert Grier, submitted a written report that can be found in the file folder entitled "Assessor Update/Code Enforcement Officer Update" and kept with these minutes.

MORGAN MOB.
HOME PERMIT -
PARK

2. R. Morgan - To build and operate a 99 unit mobile home park on Rt. 31 -
 Subject to Public Hearing

Lynne Green asked just exactly what was being asked of this board. Robert Grier told her this board needs to approve or disapprove a special use permit only. The owner then has one year to get back to the Town Planning Board with the remainder of the required information. Construction approval will then be needed by the Town Engineer, the Town Planning Board and the Town Building and Planning Department.

Supervisor Lyon reminded everyone that a super majority vote is needed to over-ride the approvals of

TOWN BOARD MTG W/PUBLIC HEARINGS

AUGUST 28, 1997

the Town Planning Board and the County Planning Board.

Bob Meyers asked if the Town Board loses control of the project at that time. Robert Grier explained that the Town Planning Board takes over if the Town Board approves the special use permit. Meyers said he believes the public would feel better if the Town Board had control.

David Nussbaumer moved to approve the special use permit for R. Morgan for a 99 unit modular home park on the basis of all the information received.

MTN TO APPRV
R MORGAN
MODULAR PK
PERMIT

Seconded by: James Welch

Supervisor Lyon suggested that perhaps this motion should be amended to say that the Planning Board review the complete record of the public hearings held on this matter.

Nussbaumer stated that he made this motion because of the entire town; not just a section of town. He figures he is here because of ~~the~~ both the young and the elderly, not just a certain few.

Michael Lambrix said that he would like the following conditions added to the mobile home park permit if approved:

RECOMMENDED
CONDITIONS

1. There will be 2 methods of ingress and egress in place for safety.
2. Contingent upon NYSDOT road study for acceleration and deceleration, turn lanes, caution lights or traffic signals.
3. Identify each parcel on map as a single or double for proper setbacks.
4. The emergency sanitation stations will be completed on Phase I for both phases. Community Rec Center will be finished as part of Phase I before the permit will be issued for Phase II.

Robert Grier said that this board can make recommendations to the Planning Board.

At this time David Nussbaumer withdrew his motion and James Welch withdrew his second.

MTN WITHDRWN

Robert Grier went over the entire long form SEQR with all present.

SEQR REVIEWED

James Welch moved to declare a negative declaration. David Nussbaumer seconded this motion.

mtn to declare
NEG. DECLAR.

MTN CARRIED

Carried: Unanimously

MTN TO APPRV
SPECIAL USE FOR
R MORGAN MOD.
HOME PARK

David Nussbaumer moved to approve the special use permit for Robert Morgan to build and operate a 99 unit modular home park on Rt. 31, Palmyra, with the following conditions to be considered by the Palmyra

CONDITIONS

Planning Board:

1. There will be 2 methods of ingress and egress in place for safety.
2. Contingent upon NYSDOT road study for acceleration and deceleration, turn lanes, caution lights or traffic signals.
3. Identify each parcel on map as a single or double for proper setbacks.
4. The emergency sanitation stations will be completed on Phase I for both Phases. Community Rec Center will be finished as part of Phase I before the permit will be issued for Phase II.

Seconded by: James Welch

Supervisor Lyon called for a roll call vote:

ROLL CALL VOTE

- David Nussbaumer - Aye
- Michael Lambrix - Aye
- James Welch - Aye
- Lynne Green - Aye
- David Lyon - Aye

3. Budget Adjustment

MTN TO APPRV
BUDGET ADJUSTMT.

Michael Lambrix moved to approve the following budget adjustment:

<u>FROM</u>		<u>TO</u>	
PART TOWN EQUIPMNT		PART TOWN CONTRACTUAL	
B8015.2	\$986.76	EXP-MISC	B8015.410
			\$986.76

Seconded by: David Nussbaumer Carried: Unanimously

MTN CARRIED

AGENDA ITEMS

AGENDA ITEMS

1. Proposed LL #1 of 1997 - Subject of Public Hearing

MTN TO APPRV
LOCAL LAW #1

Michael Lambrix moved to approve Local Law #1 of 1997 entitled "NYS Uniform Fire Protection & Building Code Administration Law" as can be found in the local law book as soon as it is filed in Albany.

Seconded by: David Nussbaumer

Supervisor Lyon called for a roll call vote:

ROLL CALL VOTE

- Lynne Green - Aye
- David Nussbaumer - Aye
- Michael Lambrix - Aye
- James Welch - Aye
- David Lyon - Aye

2. 911 Address Changes

Supervisor Lyon went over the list of address changes

911 ADDRESS LIST

that 911 feels are necessary to help our emergency

AUGUST 28, 1997

services work. Robert Grier explained that the 911 people will notify all public utilities except NYNEX, the Board of Elections and fire and ambulance services regarding these changes. The homeowners will have to notify the NYNEX people themselves and new house numbers will be available at the Town Hall.

David Nussbaumer moved to approve the address changes as recommended by the 911 people.

Seconded by: Michael Lambrix Carried: Unanimously

MTN TO APPRV
911 ADDRESS
CHANGES

MTN CARRIED

3. Report of Examination from State Comptroller Supervisor Lyon read the Report of Examination from the state Comptroller to those present.

David Nussbaumer moved to authorize the Supervisor to reply to the State Comptroller.

Seconded by: Michael Lambrix Carried: Unanimously

REPORT OF EXAM
FROM STATE
COMPTROLLER

MTN TO AUTH
SUPER. TO
REPLY TO RPRT

MTN CARRIED

4. Bids on surplus computer equipment

Supervisor Lyon reported that on August 15, 1997 at 4:20 PM the sealed bids for the sale of surplus computer equipment were opened and were as follows:

Ann Vingee-Taber	- 1 computer	
	1 monitor	total of \$ 85.00
George H Gates	- 2 computers	
5827 Ridge Rd.		
Williamson, NY		total of \$ 35.00
Gordon DeLorm	- 3 computers	
6937 Salmon Creek	- 3 monitors	
Williamson, NY	- 2 printers	total of \$445.00
George Carleton	- 1 computer	
6491 Ann Lee Dr.		
North Rose, NY		total of \$103.00

David Nussbaumer moved to accept the bid of \$445.00 from Gordon DeLorm.

Seconded by: Michael Lambrix Carried: Unanimously

MTN TO ACCEPT
BID FROM G.
DELORM

MTN CARRIED

5. Financing of CWD Ext. #1

Supervisor Lyon explained that at first we were at the bottom of the list for a gra. Several municipalities were not ready, therefore the Department of Health asked if we could have our

CWD EXT #1
FINANCING

MTN TO RETAIN
BERNARD P.
DONEGAN AS
fn financial
ADVISORS FOR
CWD EXT #1

information ready immediately and we told them we could. This will mean a 90% savings to the Town. Michael Lambrix moved to retain Bernard P. Donegan, Inc. as the Town's financial advisors for the CWD Ext. #1.

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

MTN TO AUTH
SUPERV. TO SIGN
REPORT

David Nussbaumer then moved to authorize the Town Supervisor to sign the above contract.

MTN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

MTN TO AUTH
SUPERV. TO
SIGN AGRMNT W/
WCWSA

6. Agreement with WCW&SA

James Welch moved to authorize the Town Supervisor to sign the agreement with the WCW&SA.

MTN CARRIED

Seconded by: David Nussbaumer Carried: 4 ayes
(Supervisor Lyon abstained)

7. Postal meter changes

Supervisor Lyon explained that as of January 1, 1998 the postal meter we are presently using will no longer be allowed by the United States Post Office. A upgraded model has been found that will in the end cost us about \$1.00 less per month than what we now have. Michael Lambrix moved to authorize the upgraded postal meter for the Town Office.

MTN TO AUTH
UPGRADED POSTAL
METER

Seconded by: David Nussbaumer Carried: Unanimously

MTN CARRIED

8. Front window sign replacement

Bids for the front window sign replacement were solicited from four companies. Only the Vernon Company; Carolyn Leach, Salesperson, responded. They quoted us a figure of \$830.00 for 2 signs or \$866.84 for 4 signs. These signs are a clear vinyl stick-on type. The board decided to continue looking.

FRT WINDOW SGN
REPLCMT BIDS

9. Stafford Road

a) David Nussbaumer moved to discontinue the use

MTN TO DISCONTINUE
OLD SECTION OF
STAFFORD RD

of the old section of Stafford Road.

Seconded by: Lynne Green Carried: Unanimously

MTN CARRIED

b) David Nussbaumer moved to approve the quick

MTN TO APPRV QUIT
CLAIM DEED - OLD
STAFFORD RD

claim deed for the old section of Stafford Road.

Seconded by: Lynne Green Carried: Unanimously

MTN CARRIED

TOWN BOARD MTG W/PUBLIC HEARINGS

AUGUST 28, 1997

MIN TO APPRV
DEDICATION OF NEW
SECTION OF
STAFFORD RD
MIN CARRIED

c) Lynne Green moved to approve the road dedication for the new section of Stafford Road.
 Seconded by: David Nussbaumer Carried: Unanimously

MIN TO APPRV CHANGE
ON ROAD
MIN CARRIED

d) Lynne Green moved to approve the change of the road.
 Seconded by: David Nussbaumer Carried: Unanimously

JOINT VIL/TN
MTG

10. Joint Village/Town Meeting
 Supervisor Lyon told the board members that there will be a joint Village Board/Town Board meeting held on Tuesday, September 30, 1997 at 7:00 PM in the Village Hall.

MIN TO APPRV
BDCGT ADJUSTMT

11. Budget Adjustment
 Supervisor Lyon moved to approve the following budget adjustments:

FROM	TO
Central Water Cont. FC1990.4 \$1335.00	Central Water New Water Service FC8340.23 \$1335.00
GENERAL CLERK & SEC- RETARY SALARY A1221.1 \$1100.00	GENERAL EQUIPMENT A1220.4 \$1100.00

MIN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

SET HRG DATE FOR
SWD EXT #1

12. SWD Ext #1 - Set public hearing date
 Supervisor Lyon explained that there is a area between Canandaigua Road and Johnson Road that is not in a

MIN TO SET A HRG
DATE - CDGA RD &
JOHNSON RD DIST.
PROPSD EXTNSN

water district. David Nussbaumer moved to set a public hearing date of Thursday, September 25, 1997 at 8:00 PM at the Town Office to consider a extension to the south water district.

MIN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

WA IP MTG

13. Workshop Meeting
 Supervisor Lyon informed the board that there will be a budget workshop meeting on Thursday, September 4, 1997 at 7PM at the Town Office.

CWD EXT #1 NOTICE
OF INTENT CERTIFCTN
OF FINDING

14. Central Water District Ext. #1 Agricultural District Final Notice of Intent Certification of Finding RE: Section 305(4)

MIN MOVED AND
CARRIED

At the regular meeting of the Town Board, Town of Palmyra, held on August 28, 1997, the following resolution was duly moved by Town Councilman David Nussbaumer, seconded by Town Councilman James Welch and carried unanimously:

The Town Board of the Town of Palmyra on behalf of the Town of Palmyra does hereby certify to the Commissioner of Agriculture of the State of New York that Town of Palmyra has by resolution made a finding that the requirements of Section 305(4) of the Agriculture and Markets Law of the State of New York have been met and that consistent with social, economic and other essential considerations to the maximum extent practicable, the adverse impacts revealed in the notice of intent process will be minimized or avoided.

The reasons supporting such findings are as follows:

- A. The final plan reflects that the water system will be largely constructed in the right of way of existing highways.
- B. Any construction within the confines of a working farm will be 5' below the level of the surface and will not interfere with the working of the agricultural land. Where practicable, work will be completed on any agricultural land when it will not interfere with growing crops.
- C. The Palmyra town Board has, by resolution, directed the Town Planning Board to provide a report to the Town Board which will provide strategies and alternatives designed specifically to advance the preservation of unique agricultural land and sensitive open space within the Town.
- D. That the Board finds it has, to the extent practicable, minimized adverse impact on Agricultural lands by:
 1. Avoiding construction within Agricultural lands where possible.
 2. Surveying and making an inventory of operating farms within the proposed water district so that any possible erosion of available agricultural lands can be monitored and where practicable eliminated.
 3. Enforcing compliance with assessment requirements for land removed from Agricultural production.
 4. Providing water supply to existing farms and accessory farm buildings and labor camps in the District to make the farms more viable and to assure access to potable water to assist in the farm's needs to address health and sanitary concerns and provide fire coverage for the protection of the livestock, buildings and equipment of the farm.

TN CARRIED

So moved. So carried.

Following a review of the expenditures and claims, David Nussbaumer moved to authorize payment of the claims on Abstract #8 with totals as follows:

TN TO AUTH
MT OF CLAIMS
BSTRACT #8

<u>FUND</u>	<u>VOUCHER #</u>	<u>AMOUNT</u>
General	265-289	\$ 6469.36
Part Town	126-123	\$ 958.82
Highway III & IV	160-111	\$ 833.59
Highway I	52-68	\$67166.19
North Water Dist	21	\$ 4387.86
South Water Dist	13-14	\$ 740.33

East Water Dist	15-16	\$ 232.28
Central Water Dist	33-35	\$ 7641.66
HC Cap Projects	17-20	\$71210.00

Seconded by: Michael Lambrix Carried: Unanimously

MTN CARRIED

The motion to adjourn this meeting of the Town Board was offered by David Nussbaumer, seconded by Lynne Green and carried unanimously.

MTN TO ADJRN

MTN CARRIED

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman

Simon Clark

PUBLIC HEARING
PROPOSED SOUTH WATER DISTRICT
EXTENSION NO. 1

The Public Hearing scheduled to be held on Thursday, September 25, 1997 at the Town Office, 201 E. Main Street, Palmyra, to consider the establishment of an extension to a water district in the Town of Palmyra, to be known as Extension No. 1 of the South Water District, was called to order at 8:00 PM by Town Supervisor David C. Lyon.

PUB HRG
PROPSD SOUTH
WATER DIST
EXT #1

CALL TO OR

A brief summary of the legal notice was read by the Town Clerk, due to the length of same.

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

- Eric Zukuskas (Student)
- Greg Wood (Student)
- Kenneth Wilber (Student)
- Steve Taber
- Catherine Contant, Deputy Town Clerk
- Robert Grier, Code Enforcement Officer
- Ann Vingee-Taber, Sole Assessor
- Christine Smith, Gananda Times

Supervisor Lyon asked if there were any questions or comments regarding this extension. There were none. Supervisor Lyon again asked for questions or comments; there still were none. He declared this public hearing closed at 8:02 PM.

HRG CLOSED

PUBLIC HEARING
HERLAND (BUTCH) BOUWENS
APPROVAL TO MODIFY A SPECIAL USE PERMIT

The public hearing scheduled to be held on Thursday, September 25, 1997 at the Town Office, 201 E. Main Street, Palmyra, to consider modifying a special use permit granted to Herland (Butch) Bouwens, 2394 Ford Road, Newark, NY for property located at the corner of Hanley Road and Rt. 31, was called to order at 8:02 PM by Town Supervisor David C. Lyon.

PUB HRG
B. BOUWENS
TO MODIFY
SPECIAL USE
PERMIT

The legal notice was read by the Town Clerk.

LEGAL READ

Those present at this public hearing, in addition to the Town Board members, were the same as the previous hearing.

Supervisor Lyon asked Robert Grier, Code

Enforcement Officer to explain what was needed for this project. Mr. Grier explained that there is already a special use permit that has been granted for this property. At this time Mr. Bouwens would like to place a sign on state property in front of his property. This will need a modification to the special use permit already in force.

The Town Clerk read the following Palmyra

PLANNING BOARD RECOMMENDATION

Planning Board recommendation:

Date: August 13, 1997
To: Bev Hickman, Town Clerk
From: Dan Wooden, Dep. Code Enforcement Officer
Re: Bouwens Special Use Permit

At the August 11, 1997 meeting of the Town Planning Board a motion was made to recommend approval of the above referenced application. The motion was approved by unanimous vote of the board with no conditions attached.

Enclosed please find all of the original information submitted to date. I have also enclosed mailing labels for resident notices. The Town Board should set a date, for public hearing, at its next meeting.

Supervisor Lyon then asked if there were any more comments regarding this matter. There being none, he declared this public hearing closed at 8:05 PM.

PUB HRG CLOSED

REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, Sept. 25, 1997 at the Town Office, 201 E. Main Street, Palmyra, was called to order at 8:05 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

- 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 August 28, 1997 Town Board meeting as submitted.

MTN TO APRV 8/28/97 MINUTES

Seconded by: Michael Lambrix Carried: Unanimously

MTN CARRIED

REG TOWN BOARD MEETING W/PUBLIC HEARINGS SEPTEMBER 25, 1997

The Supervisor's Monthly Report was accepted by the Town Board for filing.

SUPER'S MTHLY
REPORT

COMMUNICATIONS

1. Temporary Operating Authority - NYS Dept. of Public Service RE: Time Warner cable tv services contract
2. Time Warner cable tv channel upgrade
3. Park Resident Home owners Assoc. Inc. - Convention to be 10/25/97

COMMUNICINS

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

ASSESSMF COM

1. Assessor Update

REPORT

Ann Vingee-Taber, Sole Assessor, told the Board that she is working on update information. She is doing drive-bys unless she sees that changes have been made and then she stops to talk to the owner. She said that she would like to talk to Lynne Green and David Lyon; she has some things she would like to share with them and get their input. She will be at conference the week of September 5, 1997.

Highway Committee - David Nussbaumer, Chairman

HWY COMM.

1. Budget Adjustment

REPORT

The following budget adjustment was moved by David Nussbaumer:

<u>FROM</u>	<u>TO</u>
DA Highway Machinery Equipment DA5130.2	DA Highway Machinery Cont Exp DA5130.4
\$188.39	\$188.39
Seconded by: Lynne Green	Carried: Unanimously

MIN FOR
BDGT ADJUSTMT

MIN CARRIED

Planning Committee - James Welch, Chairman

1. Letter from Robert E. Seeley, PLS on behalf of Robert Morgan-proposed Canalside Estates

PLANNG COMM
REPORT

The following letter was read by Mr. Welch:

Palmyra Town Board
201 East Main Street
Palmyra, NY 14522
ATTN: Dave Lyon, Supervisor

LTR FROM
ROBT. SEELEY
RE: CANALSIDE
ESTATES

Dear Sir:

On behalf of Robert Morgan, who resides at 7 Chelsea Park, Pittsford, NY, 14534, and who owns 43.91 acres of property as described in the enclosed description, being a parcel with a Tax Acct. No. of 34111-00-090560, I am requesting that this property be added to the Water District, in which it is adjacent to. This property is also referred to as the proposed Canalside Estates.

Thank you for your consideration in this matter. Should you have any questions please call our office at the above listed number.

Sincerely yours,
Robert E. Seeley, PLS

Zoning Committee - Michael Lambrix, ChairmanCODE ENF.
UPDATE

1. Code Enforcement Officer Update

Robert Grier, Code Enforcement Officer, submitted a written report that can be found in the file folder entitled "Assessor Update/Code Enforcement Officer Update" as kept with these minutes.

2. Budget Adjustment

MIN TO APRV
BDGT ADJUSTMT

Michael Lambrix moved to approve the following budget adjustment:

<u>FROM</u>		<u>TO</u>	
Part-Town Zoning/ Planning - Equip	B8015.2 \$1911.21	Part-Town Zoning/ Planning -Cont Exp	B8015.4 \$1911.21

Seconded by: David Nussbaumer Carried: Unanimously

MIN CARRIED

Mr. Lambrix then moved to approve the following budget adjustment:

MIN TO APRV
BDGT ADJUSTMT

<u>FROM</u>		<u>TO</u>	
Part-Town Master Plan Cont Exp B8021.4	\$1066.43	Part-Town Zoning/ Planning Cont Exp	B8015.4 \$1066.43

Seconded by: James Welch Carried: Unanimously

MIN CARRIED

3. Mobile Home Park Approvals

MOB. HOME
PARK APRVLS

Mr. Grier informed the Board that the mobile home park approvals would be ready at the next meeting.

AGENDA ITEMS

1. Declare a Negative Declaration for South Water District Ext #1

Michael Lambrix moved to declare a negative declaration for the South Water District Ext. #1.

MIN TO DECLARE
NEG. DEC. FOR
SOUTH WTR DIST.
EXT #1
MIN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

2. South Water District Ext #1 - Subject of Public Hearing

David Nussbaumer moved to approve the South Water District Ext. #1 as described in the public hearing.

MIN TO APRV
SOUTH WTR DIST
EXT #1

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

3. Presentation of Tentative Budget for 1998

Beverly Hickman, Town Clerk, presented the Tentative Budget for 1998 to the Town Board.

TENTATIVE 1998
BUDGET

4. Purchases of Services recommendations - Palmyra-Macedon Central School

PURCHASE OF
SERVICES RECOMMEN

Following a brief discussion, the Town Board agreed on conceptual approval of the purchases of services recommendations from the Palmyra-Macedon Central

REG TOWN BOARD MEETING W/PUBLIC HEARINGS SEPTEMBER 25, 1997

School District for such services as snow removal, hauling, etc. (There is no contract ready at this time.)

5. Set public hearing date for Contract for Fire Protection with the Village of Palmyra

David Nussbaumer moved to set Thursday, October 23, 1997 at 8:00 PM at the East Palmyra Fire Hall to consider the contract for fire protection between the Town of Palmyra and the Village of Palmyra for the calendar years of 1998 thru 2002.

Seconded by: Lynne Green Carried: Unanimously

MIN TO
SET PUB HRG
DATE FOR FIR
PROTECTION
w/ VILLAGE

6. Set public hearing date for Contract for Fire Protection with Port Gibson - 1998-1999

David Nussbaumer moved to set Thursday, October 23, 1997 at 8:05 PM at the East Palmyra Fire Hall to consider the contract for fire protection between the Town of Palmyra and the Port Gibson Fire Department.

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

MIN TO SET
PUB HRG DATE
FOR FIRE
PROTECTION w/
PORT GIBSON

7. CWD Ext No. 1 - Resolution Authorizing DWSRF Application

The following resolution authorizing DWSRF application and Project Financing and Loan Agreement was moved by Michael Lambrix:

MIN CARRIED

RESOLUTION
AUTHZG. DWSRF
APPLICATION
CWD EXT #1

New York Drinking Water State Revolving Fund
(DWSRF)
Publicly Owned Systems

WHEREAS, the Town of Palmyra, herein called the "Borrower, after thorough consideration of the various aspects of the problems and study of available date, has hereby determined that the project generally described as Central Water District Extension No. 1 and identified as DWSRF Project Number 15428, herein called the "Project" is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to Title XIV of the Public Health Service Act (commonly known as the "State Drinking Water Act"), 42 U.S.C. ss300f, et seq., as amended (the "Act"), requires each State to establish a drinking water revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Act; and

WHEREAS, the State of New York has, pursuant to Chapter 413 of the Laws of 1996 (the "DWSRF Act" established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a drinking water revolving fund (the "Fund") to be used for purposes of the Act; and

WHEREAS, the Corporation has been created,

reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended being Chapter 744 of the Laws of 1970, as amended, and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund, and

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to recipients for eligible project, as provided in the DWSRF Act; and

WHEREAS, the DWSRF Act authorizes the establishment of a program for financial assistance for planning, design and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY

The Town Board of the Town of Palmyra as follows;

1. The filing of an application for DWSRF assistance in the form required by the Corporation in conformity with the DWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person, as chief fiscal officer, is directed and authorized as the official representative of the Borrower to execute and deliver an application for DWSRF assistance, to execute and deliver the Project Financing and Loan Agreement and any other documents necessary to receive financial assistance from the fund for the Project, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Borrower as may be required:

David C. Lyon
Supervisor

3. The official designated above is authorized to make application for financial assistance under the DWSRF Program.
4. One (1) certified copy of this Resolution shall be prepared and sent to the New York State Environmental Facilities Corporation, 50 Wolf Road, Room 508, Albany, New York 12205-2603.
5. This Resolution shall take effect immediately.

Seconded by: David Nussbaumer Carried: Unanimously

8. CWD Ext NO. 1 - Resolution RE: Minority and Women's Business Equal-Employment opportunity Program

MTN CARRIED

MTN FOR CWD EXT #1

RESOLUTION RE: MNRTY
EOP PROGRAM

The following resolution regarding Minority and

Women's Business-Equal Employment Opportunity Program

Workplan was moved by David Nussbaumer:

Policy Statement

The Town of Palmyra commits to carrying out the intent of the New York State Executive Law, Article 15-A which assures the meaningful participation of minority and women's business enterprises in contracting and services, and the meaningful participation of minorities and women in the workforce on activities financed by the DWSRF program loan.

REG TOWN BOARD MEETING W/PUBLIC HEARINGS SEPTEMBER 25, 1997

Minority Business Officer

David C. Lyon is designated as the local Government Official or Minority Business Officer responsible for administering the Town of Palmyra Minority and Women's Business-Equal Employment Opportunity (M/WBE-EEO) program.

M/WBE Projected Goals

- 15% Minority Business Enterprise Participation
- 5% Women's Business Enterprise Participation

EEO Projected Goals

- 10% Minority Business Enterprise Participation
- 5% Female Labor Force Participation

Seconded by: James Welch Carried: 3 ayes to 2 naves (Lynne Green voted naye - Michael Lambrix abstained)

MIN CARRIED

- 9. Set Public Hearing date - Central Water District Ext. #2

Michael Lambrix moved to set Thursday, October 23, 1997 at 8:10 PM as the date to hold a Public Hearing to consider Central Water District Ext. #2 to be held at the East Palmyra Fire Hall, East Palmyra, NY.

MIN TO SET
PUB HRG DATE
CWD EXT #2

Seconded by: David Nussbaumer Carried: Unanimously

MIN CARRIED

- 10. Purchase Options - Bookkeeper's computer

Cathy Contant had compiled the following information:

PURCHASE
OPTION -
BOOKKPRS
COMPUTER

- Gateway 2000 - Delivered - \$1993.00
- CompUSA - Delivered plus shipping - \$2014.79
- Dell - Delivered plus shipping - \$2081.00

Ms. Contant recommended the Gateway based on price, features and past performance. Michael Lambrix moved to approve the purchase of the Gateway 2000 computer for the bookkeeper at a cost not to exceed \$2000.00.

MIN TO APRV
GATEWAY CPTR
PURCHASE

Seconded by: David Nussbaumer Carried: Unanimously

MIN CARRIED

- 11. Purchase Options - Town Office laser printer

Cathy Contant has compiled the following information:

PURCH. OPTNS
LASER PRTR

- CompUSA - delivered - \$425.00
- Gateway 2000 - delivered - \$479.00
- Dell - delivered - \$479.00

Ms. Contant recommended the Hewlitt-Packard from CompUSA based on price, features and product recommendations. David Nussbaumer moved to authorize the purchase of a Hewlitt-Packard laser printer from CompUSA at a price not to exceed \$425.00 and for funds

MIN TO AUTH
PURCH. OF
HEWLITT -
PACKARD

to be taken from the following accounts:

A1410.200	\$ 225.00
A1620.200	\$ 200.00
Total	425.00

Seconded by: James Welch Carried: Unanimously

MIN CARRIED

REMINDER OF
JOINT VILLAGE/TN
MEETING

12. Reminder - Joint Village/Town Meeting (Tue.
9/30/97 at 7 PM at the Village Hall)

Supervisor Lyon reminded the Board of the up-coming meeting with the Village and told them it would be concerning the Master Plan and the joint office facility.

13. Herland (Butch) Bouwens - Subject of Public Hearing

MIN TO APRV
MODIFICATION TO
BOUWENS SPECIAL
USE PERMIT

David Nussbaumer moved to approve the modification to a pre-existing Special Use Permit to have a sign on the New York State right-of-way for Herland (Butch) Bouwens.

MIN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

Following a review of the expenditures submitted, Michael Lambrix moved to authorize payment of the claims and expenditures as submitted on Abstract #9 with totals as follows:

<u>Account</u>	<u>Voucher #</u>	<u>Amount</u>
General Fund	290-317	\$41507.71
Part Town Fund	129-150	\$15027.26
DA Highway	166-171	\$ 1531.36
DB Highway	69- 79	\$11799.51
North Water	22- 24	\$ 4479.06
South Water	15- 17	\$ 2679.12
East Water	17- 19	\$ 2350.72
Central Water	36- 41	\$11263.21
Ext. #1	1- 2	\$ 214.83
HC Cap Proj CWD Ext #1	21	\$12000.00

MIN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

MIN TO GO INTO
EXEC. SESSION

David Nussbaumer moved to go into executive session to discuss litigation matters.

MIN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

Supervisor Lyon called this meeting of the Town Board back into session.

CALL TO ORDER
REGULAR MTG

Be it noted that the following Notice of Claim

NOTICE OF CLAIM
D. RICE

has been received:
DONALD A. RICE AND ANNETTE J. RICE, Claimant,
VS

TOWN OF PALMYRA
VILLAGE OF PALMYRA
ROBERT E. GRIER, Individually and as Code
Enforcement Officer for the Town & Village of
Palmyra, and
ANN VINGEE TAYLOR, Individually and as Tax
Assessor for the Town and Village of Palmyra

The nature of the claim of Donald A. Rice and Annette J. Rice includes, but is not necessarily limited to: prima facie tort, abuse of process, intentional and negligent infliction of emotional distress, malicious prosecution, strategic lawsuit against public participation (SLAPP

suit) and negligent supervision and retention,
sustained by them as set forth below. ...

David Nussbaumer moved to adjourn this meeting.

MIN TO ADJRN

Seconded by: James Welch Carried: Unanimously

MIN CARRIED

Respectfully submitted,



Beverly E. Hickman
Town Clerk

Joint Town Board/Village Board Meeting September 30, 1997

JOINT TOWN/VILLAGE BOARD MEETING

Minutes of the joint meeting were taken by Alicia Lynch, Village Clerk, and are attached to these minutes:

Board Members in attendance at this meeting included:

Town Supervisor - David C. Lyon
 Town Board Members - David Nussbaumer
 Lynne Green
 Michael Lambrix
 James Welch
 Village Mayer - Peter Wilson
 Village Trustees - Fred Celentano
 Ann Guest
 Bob Gunkler
 Curt Solomon

ROLL CALL

COMMUNICATIONS

1. Informational pamphlet RE: New York State Canal Conference - October 24 - 26 - Harbor House, Fairport

STATE CANAL
 CONFERENCE
 INFO PAPER

ZONING COMMITTEE

1. Set Public Hearing date for R. Minnamon - Special Authorization to have a trophy shop in his home

ZON. COMM.
 REPORT

David Nussbaumer moved to set Thursday, October 23, 1997 as the date to hold a Public Hearing for Randall Minnamon, Rt. 21N, Palmyra, for Special Authorization to have a trophy shop in his home; to be held at 8:15 PM at the East Palmyra Fire Hall, East Palmyra, New York.

MTN TO SET PUB.
 HRG DATE FOR
 R. MINNAMON
 SPEC AUTH

Seconded by: Michael Lambrix Carried: Unanimously

MTN CARRIED

This joint meeting continued.

Respectfully submitted,

Beverly E. Hickman
 Beverly E. Hickman
 Town Clerk

JOINT MEETING
VILLAGE OF PALMYRA
TOWN OF PALMYRA
September 30, 1997 7:00 p.m.

PRESENT: Mayor Wilson, Trustees Ann Guest, Kurt Salomon, Fred Celentano, and Bob Gunkler. Supervisor Lyon, Town Board members Mike Lambrix, Dave Nussbaumer, Jim Welch and Lynne Green.

CALL TO ORDER

CALL TO ORDER: Mayor Wilson called the meeting to order at 7:00 pm. and asked Supervisor Lyon's indulgence while the Village conduct a little business.

PLEDGE OF ALLEGIANCEPLEDGE OF ALLEGIANCE

MIN TO APRV
PMT OF ABSTR #6
MIN CARRIED

ABSTRACT #6: Motion by Trustee Guest to approve voucher #326 of 9-12-97 for \$48.40, vouchers 327-329 of 9-18-97 for \$327.01 and Abstract #6 for vouchers #330-332 for \$10,751.22. Second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

MIN TO APRV
HOMECOMG PARADE

HOMECOMING PARADE: Motion by Mayor Wilson to approve the request by Palmyra Macedon Cental to hold their homecoming parade on Saturday, Oct 11th pending approval from DOT. Second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

N MAIN PKG LOT
AWARDED TO VILLAGE
CONSTRM

NORTH MAIN STREET PARKING LOT: Mayor Wilson moved to award the contract for the North Main Street parking lot to Village Construction whose bid of \$65,366.00 was the lowest of the six submitted. Second by Trustee Guest. Vote, 5 ayes. CARRIED.

MUN. BLDG STUDY

TOWN BOARD MEETING: Supervisor Lyon call Town Board meeting to order to conduct business and to remind anyone wishing to attend Canal Conference they must pre register by Oct. 16th.

MUNICIPAL BUILDING STUDY: Bill Bastik with SEA addressed the Boards and reported that the preliminary study of 144 East Main Street has been completed. Costs of renovating as compared to a new building were compiled. Mark Vande gave an analysis of the existing building. There is roughly 6,000 square feet on the first floor. If renovated the second floor would also be roughly 6000 square feet and approximately 3500 on the third floor. The existing building is in surprisingly good shape.

The structural aspects of the building were discussed by Mike Keim with special attention given to floor load specifications. There are some problems with these load specifications in the existing building. Some sections towards the back of the court room would only be rated at 30 lbs./sq ft. Apparently there was a building removed on the south side of the building and as a result of that the bearing wall is not as strong.

SEA suggests using the first floor for Court rooms, Police Dept. and public meeting rooms. Suggestions for the second and third floor would be for offices and storage area respectively. They recommend putting the elevator and rest rooms towards the front of the building. Restrooms would be located on each floor and all handicapped accessible. Costs include new heating, central air and new windows. Renovation costs would probably run about \$100-\$150 per square foot.

New construction would be a little less expensive at approximately \$90.00 per square foot, but site development would be another \$20-\$30 per square foot.

Trustee Celentano asked how much could be saved if the elevator went to the second floor only and how long would the project take. Mark Vande reported that the 2-floor elevator would only save about \$20,000. It would take about a year to complete the renovation.

Bill Bastik reported that he has looked into grant money available. There are grants available for Historic Building Renovations with a maximum given of \$200,000. It is a matching grant so we would only receive \$100,000. This would probably not be worth the extra restrictions that would required.

Supervisor Lyon asked if it wouldn't be cheaper to build a one-story facility. Mr. Vande said anything you saved on construction would probably be eaten up in site development.

Mr. Bastik explained that the next step would be to have the drawings done so they would be available to residents to study before the required referendum. Bob Otter asked for an estimate of engineering costs. Mr. Bastik gave a range of \$10,000-\$20,000.

Supervisor Lyon and Mayor Wilson thanked SEA and Mark Vande for their time and their report.

Mayor Wilson called for a five minute recess.

RECESS CALLED

OUT-OF-DISTRICT WATER USE - REQUEST: The request from the Dennie's to be an out of district user for Village water will be handled through an agreement with the Town and not through the creation of a new water district due to cost factors. Further action will take place after the agreement has been looked over.

OUT OF DIST
USER REQUEST

MASTER PLAN: Steve Cleason, APD, gave a brief review of the Master Plan. He recommended adopting the plan as soon as possible and then alter if needed in two years or so. Rezoning is definitely needed. Both the Town and Village Boards need to make a formal response to it. Most of the comments he has heard have been supportive. The Boards need to remove any areas that are not wanted. There is some money left in the budget for minor revisions.

MASTER PLAN

Mayor Wilson asked Steve to give the sequence of the steps needed now. The next step is the public hearing. Taking into consideration the comments from the hearing alterations are made to the plan. Then the plan is ratified. Next step, is filing of a negative declaration. The re-zoning process takes much longer.

ADJOURNMENT: Motion to adjourn at 8:40 p.m. by Mayor Wilson, second by Trustee Celentano. Vote, 10ayes. CARRIED.

MIN TO ADJRN

Respectfully submitted,

Alicia M. Lynch
Village Clerk

*Master
Plan*

PUBLIC HEARING
FIRE CONTRACT - VILLAGE OF PALMYRA

PUB HRG
VOF FIRE CTRCT

The Public Hearing scheduled to be held on Thursday, October 23, 1997, at the East Palmyra Fire Hall, to consider changing the amount of the contract between the Town of Palmyra, Wayne County, New York and the Village of Palmyra, for furnishing fire protect for the calendar years 1998 - 2002 in the amount of \$50,000.00 per year, was called to order at 8:00 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

Those present, in addition to the Town Board

members, included:

- | | |
|--|----------------------|
| Ronald Hickman Sr. | Roy C. Wilck |
| Jim Milliman | Harry Wilkins |
| Frank Gorall | Lisa Tortina |
| Jeff Kindred | ? (unreadable) |
| ? (Unreadable) | W. Carlson (student) |
| Eric Carlson (student) | Randy Minnamon |
| Tim Vollerstein | Steve Taber |
| Robert Grier, Code Enforcement Officer | |
| Nelson F. Cook, Highway Superintendent | |
| Ann V. Taber, Sole Assessor | |

LEGAL NOTICE

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

Supervisor Lyon asked for any comments regarding this matter. There were none.

Supervisor Lyon again asked for comments either for or against this matter. There were none.

This public hearing was declared closed at 8:02

PUB HRG CLOSED PM by Supervisor Lyon.

PUBLIC HEARING
FIRE CONTRACT - PORT GIBSON FIRE DEPT.

PUB HRG
PT GBSN FIRE
CONTRACT

The Public Hearing scheduled to be held on Thursday, October 23, 1997, at the East Palmyra Fire Hall, East Palmyra, NY, to consider increasing the amount of the contract between the Town of Palmyra and the Port Gibson Fire Department, Inc. for furnishing fire protection in the amount of \$3,000.00 for the calendar year 1998 and \$3,800.00 for the calendar year

1999, was called to order at 8:05 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

Those in attendance were the same as the first public hearing held this evening.

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

LEGAL READ

Supervisor Lyon asked for comments regarding this matter. There were none.

Supervisor Lyon again asked for comments either for or against this matter. There were none.

This Public Hearing was declared closed t 8:07 PM by Supervisor Lyon.

PUB HRG CLSD

.....
PUBLIC HEARING
PROPOSED CENTRAL WATER DISTRICT
EXTENSION #2

Supervisor Lyon announced to those present that the public hearing scheduled to be held on Thursday, October 23, 1997 at the East Palmyra Fire Hall, East Palmyra, NY, at 8:10 PM to consider establishing a Central Water District Extension #2 could not be held this evening because the description of this extension has not been received at the Town Office. This Public Hearing will be re-scheduled at a later date.

PUB HRG
PRSD CWD
EXT #2

.....
PUBLIC HEARING
RANDALL MINNAMON - SPECIAL USE VARIANCE
TROPHEY SHOP

The Public Hearing scheduled to be held on Thursday, October 23, 1997 at the East Palmyra Fire Hall, East Palmyra, NY, to consider the application of Randall Minnamon, 2484 Rt. 21 North, Palmyra, NY, for a Special Use Variance to have a trophy shop in the basement of his home, was called to order at 8:15 PM by Town Supervisor David C. Lyon.

PUB HRG
R. MINNAMON
SPEC USE

CALL TO ORDER

REGULAR TOWN BOARD MTG W/PUBLIC HEARING

OCTOBER 23, 1997

LEGAL READ

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

Supervisor Lyon asked for comments regarding this application.

Randall Minnamon told those present that this business would have no impact on the agricultural district in which he is situated. He said that this was his father's business; two houses from his, and it would just be moved to his house.

Supervisor Lyon asked the Board if they had any questions. They did not.

The following recommendation from the Palmyra Planning Board was read by the Town Clerk:

PLANNING BRD
RECOMMENDATION

TOWN OF PALMYRA
PLANNING BOARD MINUTES
OCTOBER 13, 1997

Item 1. Minnamon Special Use Application 7:32PM

L. Edinger explained the application and read the recommendation from the WCPB. There was some discussion by the board as to the exact location of the proposed business. E. Dundus questioned if any signs were proposed? D. Wooden answered that signs were not mentioned in the application. There were no questions from the residents in attendance.

Motion: K. Miller made a motion to recommend approval of the application to the Town Board.

2nd: L. Kaller Vote: Unanimous
Hearing closed at 7:39PM.

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

WAYNE CTY
PLANNING BRD
RECOMMENDATION

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

Dear Mr. Grier:

At its regular meeting on September 24, 1997, the Wayne County Planning Board reviewed the following referral and determined it to have no intermunicipal or countywide impact.

1. Custom Trophies
2484 Route 21 N
Tax Map Ref. No: 33112-00-410906
Special Permit - home business

The Board recommended this referral be returned to the Town to be handled as a local matter. If you have any questions regarding this determination, please don't hesitate to call.

Sincerely,
Bret DeRoo, Sr. Planner

REGULAR TOWN BOARD MTG W/PUBLIC HEARING OCTOBER 23, 1997

Supervisor Lyon asked for any more comments regarding this matter. There were none.

This Public Hearing was declared closed at 8:25 pm by Supervisor Lyon.

PUB HRG CLOSED

REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, scheduled to be held on Thursday, October 23, 1997 at the East Palmyra Fire Hall, East Palmyra, NY, was called to order by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

- 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 Town Board meeting held September 25, 1997 and the joint meeting with the Village of Palmyra held on September 30, 1997, as submitted.

MTN TO APRV 9/25/97 MIN.

Seconded by: Lynne Green Carried: Unanimously

MTN CARRIED

The Supervisor's Monthly Report was accepted by the Board for filing.

SUPER'S MO. REPORT

COMMUNICATIONS

1. Letter from Tonya Finn RE: Out-of-District User Village Sewer

LTR FROM T. FINN - OUT OF DIST USER

The Board agreed they had no objection to Tonya Finn becoming a out-of-district user in the Village sewer provided there is no cost to the Town of Palmyra. The Town Clerk was directed to send Ms. Finn a letter stating same.

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

ASSMT. COMM. REPORT

1. Assessor Update

Ann Vinge-Taber, Sole Assessor, Town of Palmyra.

REGULAR TOWN BOARD MTG W/PUBLIC HEARING OCTOBER 23, 1997

file folder entitled "Assessor Update/Code Enforcement Officer Update" as kept with these minutes.

2. Purchase of file cabinet

Lynne Green moved to authorize the purchase of a file cabinet for the Assessor's Office at a cost not to exceed \$165.00.

MTN TO APV
PURCHASE OF
FILE CABINET
ASSESSOR OFF

Seconded by: David Nussbaumer Carried: Unanimously
Highway Committee - David Nussbaumer, Chairman

1. Authorization to purchase a snow push blade

David Nussbaumer moved to authorize the purchase of a snow push blade at a cost not to exceed \$4,000.00.

MTN TO APV
PURCHASE OF
SNOW PUSH
BLADE

Seconded by: Lynne Green Carried: Unanimously

2. Budget Adjustments

The following budget adjustment was moved by David Nussbaumer:

MTN TO APV
BUSGET
ADJUSTMENT

Seconded by: Lynne Green Carried: Unanimously

The following budget adjustment was moved by

David Nussbaumer:

FROM	TO
DA Highway	DA Highway
Machinery-Equip	Machinery-Cont Exp
DA5130.2 \$1,598.75	DA5130.4 \$1,598.75

MTN TO APV
BUDGET
ADJUSTMENT

Seconded by: Michael Lambrix Carried: Unanimously

David Nussbaumer also moved the following budget adjustment:

FROM	TO
DB Highway	DB Highway
Gen Repairs	Improvements
Pers Services	Pers Services
DB5110.1 \$ 248.73	DB5112.1 \$ 248.73

MTN TO APV
BUDGET
ADJUSTMENT

Seconded by: Michael Lambrix Carried: Unanimously

4. Fire Contract/Village of Palmyra

David Nussbaumer moved to approve the fire contract between the Village of Palmyra and the Town of Palmyra for a period of five (5) years (1998 - 2002) at a cost to the Town of Palmyra of \$50,000.00 per year.

MTN TOA PV
FIRE CONTRACT
VILL OF PAL

Seconded by: Lynne Green Carried: Unanimously

5. Fire Contract/Pt. Gibson Fire Dept.

David Nussbaumer moved to approve the fire contract

MTN TO APV
FIRE CONTRACT
PT. GIBSON

between the Town of Palmyra and the Port Gibson Fire Department, Inc. at a cost to the Town of Palmyra of \$3,000.00 for the calendar year 1998 and \$3,800.00 for the calendar year 1999.

Seconded by: Michael Lambrix Carried: Unanimously

6. Purchase of portable enclosure for ACO

David Nussbaumer moved to approve the purchase of a portable enclosure for the transport of animals at a cost not to exceed \$375.00.

Seconded by: Michael Lambrix Carried: Unanimously

Planning Committee - James Welch, Chairman

1. R. Minnamon - Special Authorization - Subject of Public Hearing

James Welch moved to approve a Special Use Permit for R. Minnamon for a trophy shop in his home at 2484 Rt.

21 N with the following stipulations:

1. He shall, at all times, take such action as will avoid customer parking on the highway.
2. He shall not be allowed outside storage of any materials, equipment, supplies or waste scraps.
3. The erection of sign and all other activities related to the operation of the business shall be in full and complete compliance with the Zoning Ordinance of the Town of Palmyra.
4. This Special Use Variance shall terminate when Mr. Minnamon ceases to own the property or when business has not been conducted for twelve months, whichever comes first.
5. Mr. Minnamon shall sign this letter indicating that he fully understands and agrees to the terms of this Special Use Variance.
6. This Special Use Variance shall become effective immediately upon receipt of this signed document at the Town Clerk's Office.

Seconded by: Michael Lambrix Carried: Unanimously

2. Code Enforcement Officer Update

Robert Grier, Code Enforcement Officer, reported to the Board that his written report would be ready for them next week.

Mr. Grier then requested that he be allowed to take his business vehicle home at night. He told the Board that if he should be on a business call and has his own personal vehicle his insurance would not be liable; also there are limited parking spaces

MTN TO APV
PORTABLE
ENCLOSURE
FOR ACO

MTN TO APV
SPEC USE PRMT
R. MINNAMON
TROPHY SHOP

EO UPDATE

PERMISSION FOR
EO TO TAKE THE
BUSINESS VEHICLE
HOME AT NIGHT

REGULAR TOWN BOARD MTG W/PUBLIC HEARING OCTOBER 23, 1997

available at the Village Hall and his personal vehicle takes up a space all day long. He has talked to the Village Board and they are agreeable to him taking the business vehicle home. This Board has no problem with this idea, as long as the Village approves.

3. Proposed Tower Ordinance for review
Mr. Welsh passed out copies of the proposed tower ordinance to all board members and asked that they review same and be ready to discuss it at the Oct. 30 meeting.

PROPOSED
TOWER ORD
FOR REVIEW

Zoning Committee - Michael Lambrix, Chairman

1. Mobile Home Park Approvals

Michael Lambrix moved to approve the Mobile Home Park Permits for each of our six mobile home parks for the calendar year 1997.

MTN TO APV
ALL MOBILE
HOME PARKS
for 1997

Seconded by: David Nussbaumer Carried: Unanimously

2. Tower Moratorium expires 10/26/97

Mr. Lambrix moved to approve extending the tower moratorium for another 90 days to expire January 24, 1998.

TOWER
MORATORIUM
EXTENDED

Seconded by: David Nussbaumer Carried: Unanimously

3. Budget Adjustment

Mr. Lambrix moved to approve the following budget adjustment:

MTN TO APV
BUDGET
ADJUSTMENT

FROM	TO
Part-Town Master Plan- Cont Expense \$8021.4	Part-Town Zoning/ Planning Cont Exp
\$882.52	\$8015.4 \$882.52

Seconded: David Nussbaumer Carried: Unanimously

AGENDA ITEMS

1. Final Negative Declaration for DWSRF

Supervisor Lyon moved to declare a final negative declaration for the DWSRF.

MTN TO DECLARE
FINAL NEG DEC
DWSRF

Seconded by: Michael Lambrix Carried: Unanimously

2. Workshop Meeting 10/30/97 at the Town Office
7:00 PM - Tony Malone RE: Water projects

Reminder only.

INFO ONLY

3. Set Public Hearing date for Preliminary
Budget

David Nussbaumer moved to set Thursday, November 6,

MTN TO SET
PUB HEAR DATE
PREL BUDGET

1997 at the Town Office at 7:30 PM to hold a Public Hearing for the Preliminary Budget for the calendar year 1998.

Seconded by: Michael Lambrix Carried: Unanimously

4. Joint Town Board/Village Board informational meeting at the Palmyra Fire Hall - 7:00 PM - Master Plan

INFORMATION
ONLY

Reminder only.

Following a review of the expenditures and claims submitted, David Nussbaumer moved to approve payment of same as shown on Abstract #10 with totals as follows:

TN TO APV
PAYMENT OF
CLAIMS

<u>Account</u>	<u>Voucher #</u>	<u>Total</u>
General Fund	318-350	\$ 9,470.14
Part Town Fund	151-162	\$ 1,921.36
DA Highway	172-180	\$16,781.65
DB Highway	80- 87	\$ 4,817.60
North Water Dist	25- 27	\$ 3,699.84
South Water Dist	18	\$ 712.00
East Water Dist	20	\$ 216.00
Central Water Dist	42- 45	\$ 6,616.41
CWD Ext #1	3	\$ 264.00
HC Cap Proj CWD Ext #1	22-25	\$10,463.75

Seconded by: James Welch Carried: Unanimously

Lynne Green moved to adjourn this meeting of the Town Board.

TN TO ADJRN

Seconded by: David Nussbaumer Carried: Unanimously

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman
Town Clerk

Public Hearing - Preliminary Budget 1998 November 6, 1997

PUBLIC HEARING
PRELIMINARY BUDGET - 1998

The Public Hearing scheduled to be held on Thursday, November 6, 1997 at the Town Office, 201 E. Main Street, Palmyra, to consider the Preliminary Budget for the calendar year 1998 was called to order at 7:30 PM by Town Supervisor David C. Lyon.

The reading of the legal notice was waived due to the fact that there was no one present in addition to the Town Board members.

Supervisor Lyon twice asked the Board Members if they had any questions or comments. They did not.

Supervisor Lyon declared this public hearing closed at 7:31 PM.

TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, was called to order at 7:31 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 Town Board Members were present:

Town Supervisor - David Lyon
Town Board Members - David Nussbaumer
Michael Lambrix
James Welch

(Lynne Green was absent)

AGENDA ITEMS

1. Preliminary Budget 1998

Michael Lambrix moved to approve the Preliminary Budget for the calendar year 1998 as submitted.

Seconded by: David Nussbaumer Carried: Unanimously

David Nussbaumer moved to adjourn this meeting of the Town Board at 7:34 PM

Seconded by: James Welch Carried: Unanimously

Respectfully submitted,

Beverly E. Hickman, Town Clerk

TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Tuesday, November 25, 1997 at the Town Office, 201 E. Main Street, Palmyra, was called to order at 7:30 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

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

Others present at this meeting included:
Nelson F. Cook, Highway Superintendent

David Nussbaumer moved to approve the minutes of the October 23, 1997 and the November 6, 1997 Town Board meetings, as submitted.

MTN TO APPROVE MINUTES OF 10/23/97 & 11/06/97

Seconded by: Michael Lambrix Carried: Unanimously

The Supervisor's Monthly Report was accepted by the Board for filing.

SUPER'S MTNLY RPT FILED

COMMUNICATIONS

NONE

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

1. Assessor Update

ASSESSOR UPDATE

A written report was filed by Ann Vingee-Taber, Sole Assessor, and can be found in the file folder entitled "Assessor Update/Code Enforcement Officer Update" as kept with these minutes.

Lynne Green moved to hire a part-time person at the rate of \$8.00 per hour with wages not to exceed a total of \$1,100.00.

MTN TO HIRE A PT-TIME PERSON

Seconded by: David Nussbaumer Carried: Unanimously

Highway Committee - David Nussbaumer, Chairman

1. Contract w/Pal-Mac Central School

David Nussbaumer moved to authorize Supervisor Lyon to sign the contract between the Town of Palmyra and the

MTN TO AUTHORIZE SIGNING OF CNTRCT W/PAL-MAC SCHOOL

Palmyra-Macedon Central School District for plowing the parking lots of the three school located in the Town of Palmyra.

Seconded by: James Welch A brief discussion followed.

A roll call vote was called:

- Michael Lambrix - Aye
- James Welch - Aye
- Lynne Green - Abstain
- David Nussbaumer - Aye
- David Lyon - Aye

Motion carried.

2. Snow & Ice Contract with Wayne County

TN TO APV
NOW & ICE
CONTRACT

David Nussbaumer moved to authorize Supervisor Lyon to sign the Snow & Ice Contract between the Town of Palmyra and the County of Wayne.

Seconded by: Michael Lambrix Carried: Unanimously

3. 3-way stop sign - corner of Galloway and Hogback Hill Roads

WAY STOP
IGN DISCSSN

Following a brief discussion regarding the intersection of Galloway Road and Hogback Hill Road, it was decided that Nelson Cook, Highway Superintendent, would contact the state engineer and get his feelings on this matter. No action was taken.

4. Budget Adjustments

TN TO APV
UDGET ADJSTMNT

The following budget adjustment were moved by David Nussbaumer:

FROM	TO
Machine Reserves HA9901.9 \$4,000.00	DA Highway Machine fund DA5032 \$4,000.00
	Mach. Equipment DA5130.2 \$4,000.00
DA Highway Machinery - Equipment DA5130.2 \$2,612.00	DA Highway Machinery - Cont Exp. DA5130.4 \$2,612.00
DA Highway Weeds-Cont Exp DA5140.4 \$ 360.11	DA Highway Mach-Cont Exp DA5130.4 \$360.11
Weeds-Personal Services DA5140.1 \$ 18.65	Machinery Pers Svcs DA5130.1 \$ 18.65
DB Highway St Retrmnt DB9010.8 \$ 57.38	DB Highway Social Sec DB9030.8 \$57.38

Seconded by: Lynne Green Carried: Unanimously

5. Approve contract between Highway Supt. and Town Board to spend funds in DB Highway 1

TN TO AGREE
SPEND TN
HWY FUNDS

David Nussbaumer moved to approve the agreement to spend Town Highway Funds pursuant to the provisions of Section 284 of the Highway Law.

Seconded by: Lynne Green Carried: Unanimously

6. Approval to take bids for a new cab & Chassis for truck

David Nussbaumer moved to approve Nelson Cook, Highway

Superintendent, take bids for a new cab and chassis.

MTN TO APV
TAKING BIDS
ON CAB & CHASSIS

Seconded by: Lynne Green Carried: Unanimously

Planning Committee - James Welch, Chairman

1. CEO Update

Robert Grier, Code Enforcement Officer, is on vacation this week.

2. Telecommunications Tower Law

James Welch reported that there is a little work to be done on the Telecommunications Tower Law, but it should be available by Monday, December 1, 1997.

TELECOMMUNICATION
TOWER LAW

Zoning Committee - Michael Lambrix, Chairman

1. Budget Adjustment

The following budget adjustment was moved by Michael

Lambrix:

MTN TO APV
BUDGET ADJUSTMNT

FROM		TO	
Part-Town Master Plan		Part-Town Zoning/	
Cont. Exp.		Planning Cont Exp.	
B8021.4	\$ 480.86	B8015.4	\$ 480.86

Seconded by: David Nussbaumer Carried: Unanimously

AGENDA ITEMS

1. Contract with Palmyra Kings Daughters Free Library

Supervisor Lyon moved to approve the contract between the Town of Palmyra and the Palmyra Kings Daughters Free Library for the calendar year 1998 in the amount of \$18,500.00

MTN TO APV
CONTRACT W/
LIBRARY

Seconded by: David Nussbaumer Carried: Unanimously

2. Contract with Palmyra Community Center

Supervisor Lyon moved to approve the contract between the Town of Palmyra and the Palmyra Community Center for the calendar year 1998 in the amount of \$24,500.00.

MTN TO APV
CONTRACT W/
COMMNTY CENTER

Seconded by: Michael Lambrix Carried: Unanimously

3. Contract with PVA

Supervisor Lyon moved to approve the contract between the Town of Palmyra and the Palmyra Volunteer Ambulance for the calendar year 1998 in the amount of \$8,000.00.

MTN TO APV
CONTRACT W/
PVA

Seconded by: Michael Lambrix Carried: Unanimously

4. County Board of Supervisors Update

TY BD OF SUPRS
PDATE

Supervisor Lyon reported that the county tax rate if down \$.09 from last year. He stated that the County Budget Hearing will be held on December 3, 1997 at 7:00 PM at the County Court House in Lyons.

5. Budget Adjustments

The following budget adjustments were moved by

IN TO APV
UDGET
DJUSTMENTS

Supervisor Lyon:

FROM		TO	
General Supr Equip A1220.2	\$ 72.26	General Supr Expenses A1220.4	\$ 72.26
Contingency Acct A1990.4	\$1801.75	Town Clerk Dep Salary A1411.1	\$1801.75
South Water Cont Acct FS1990.4	\$3448.00	South Water Eng.-MRB FS8320.245	\$3448.00
Admin-Misc Expense FS8310.103	\$ 7.00	Engineering-MRB FS8320.245	\$ 7.00
Central Water Cont Acct FC1990.4	\$3505.00	Central Water Enginng MRB FC8320.245	\$3505.00
Contingency Acct FC1990.4	\$ 11.53	Utilities Expense FC8320.401	\$ 11.53

Seconded by: Michael Lambrix Carried: Unanimously

6. Sexual Harassment Policy

EXUAL
ARRASSMENT
LICITY

Supervisor LYON presented each board member with a proposed sexual harrassment policy and asked them to read same and be ready to act on it at the Dec.11, 1997 meeting.

Following a review of the expenditures and claims submitted, David Nussbaumer moved to approve payment of claims as shown on Abstract #11 with totals as follows:

IN TO APV
AYMENTS OF
LAIMS

Account	Invoice #	Amount
General fund	351-417	\$14,918.13
Part Town fund	163-180	\$ 1,830.82
DA Highway	181-209	\$22,108.01
DB Highway	88- 91	\$ 3,026.00
FA	28- 30	\$ 3,924.67
FS	19- 21	\$ 4,240.21
FE	21- 23	\$ 3,278.52
FC	42- 46	\$150,170.33
FX	4	\$ 344.00
HC	26- 28	\$15,205.00

Seconded by: Michael Lambrix Carried: Unanimously

The motion to adjourn this meeting of the Town Board was offered by David Nussbaumer, seconded by Michael Lambrix and carried unanimously.

IN TO ADJRN

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman
Town Clerk

REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, Dec. 11, 1997 at the Town Office, 201 E. Main Street, Palmyra, was called to order at 7:30 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

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

Others present at this meeting included:
Harlin Tyler, E. Palmyra Cemetery Assoc.
Cathy Contant, Deputy Town Clerk
Robert Grier, Code Enforcement Officer
Nelson F. Cook, Highway Superintendent

Michael Lambrix moved to approve the minutes of the Town Board meeting held on November 25, 1997, as submitted.

MOTION TO APPROVE MINUTES OF 11/5/97

Seconded by: David Nussbaumer Carried: Unanimously

COMMUNICATIONS

1. Letter from Time Warner RE: Rate increase
2. Letter from the Department of State RE: Training Sessions
3. Association of Towns Meeting notice

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

No report at this time.

ASSESSMENT COMM NO REPORT

Highway Committee - David Nussbaumer, Chairman

1. Drainage problem on Bonnie Lane

Nelson Cook, Highway Superintendent, suggested that a 8" PVC pipe, that roots cannot penetrate, be put out there to alleviate the problem of the cellars flooding. The board agreed with this idea and Mr. Cook said he will try to repair the 300' to 400' section next summer.

DRAINAGE PROB ON BONNIE LANE

Planning Committee - James Welch, Chairman

Harlan Tyler, East Palmyra Cemetery Association,

explained to the Board that they would like to purchase additional property to increase the size of the cemetery. The following resolution was moved by James Welch:

ISO TO CNSNT
INCREASING
ZE OF THE
PAL CEMETRY

BE IT RESOLVED THAT the Town Board of the Town of Palmyra does hereby consent to the expansion of the East Palmyra Cemetery by the addition of two (2) acres to the cemetery.

Seconded by: David Nussbaumer Carried: Unanimously
Zoning Committee - Michael Lambrix, Chairman

LECOMMNCATNS
WER LAW

1. Telecommunications Tower Law

Mr. Lambrix asked the Board to look this information over and be ready to vote on it at the Dec. 29, 1997 meeting.

2. Proposed Master Plan

The master plan will be the subject of the workshop meeting held immediately following this meeting.

OPOSED
STER PLAN

AGENDA ITEMS

1. Change monthly payroll to bi-weekly payroll

Supervisor Lyon informed the Board that the monthly payroll will be changed to bi-weekly payroll as of January 1, 1998. He stated that this will be a more efficient use of his clerk's time by cutting down on one payroll a month.

G MTHLY PR
BI-WEEKLY

2. Sexual Harassment Policy

The following resolution was moved by David Nussbaumer:

N TO APV
XUAL HARRSSMNT
LICY

TOWN OF PALMYRA
SEXUAL HARASSMENT POLICY

Sexual harassment is a form of gender discrimination and is a violation of state and Federal civil rights laws. It is the policy of this municipality to strongly oppose and prevent any form of discrimination. We recognize that any employee's ability to perform his or her job may be adversely affected by harassment based on sex. Therefore, this policy has been prepared to aid our employees in understanding and helping to prevent sexual harassment.

The Equal Employment Opportunity Commission defines sexual harassment as "unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature" when:

- * submission to such conduct is made either explicitly or implicitly a term or condition

- of an individual's employment, or;
- * submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer or termination, affecting such individual, or;
- * such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or otherwise offensive working environment, or;
- * such conduct created an intimidating, hostile or offensive work environment.

Sexual harassment can include abusive verbal language related to an employee's sex, sexually oriented comments about an individual's body that are unwelcome and/or reasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive working environment; displays of obscene printed or visual material; and physical contact, such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

Any employee who believes that another employee is initiating sexual harassment may file a written complaint with Supervisor David Lyon, 2799 Lyon Road, Marion, NY 14505 or at his office at 201 East Main Street, Palmyra, NY (315-597-2324) or Town Counsel, Paul T. Rubery, 322 E. Main Street, Palmyra, NY 14522 (315-597-4471) within thirty (30) calendar days of the incident. All complaints will be treated as confidential. In the investigation of the complaint it may be necessary to use some or all of the information in the complaint. In the investigation, every effort will be made to preserve the privacy of the complainant. Retaliation against the complainant will not be tolerated. Due to the serious and private nature of this offense, false accusations of sexual harassment are and will be treated as a disciplinary offense and will result in the same level of punishing as that applied to one who engages in such behavior.

The policy of the Town of Palmyra is to investigate all such complaints. If an investigation confirms that harassment has occurred, the Town of Palmyra will take corrective action, including any discipline that is appropriate from a simple reprimand, suspension, with or without pay and/or including immediate termination of employment.

The complainant and the employee causing the alleged sexual harassment shall, when possible, be separated in the work place to limit contact until the investigation is resolved. The investigation will proceed as promptly as possible to comply with Federal and State guidelines. The officer conducting the investigation shall complete his investigation and report within twenty (20) business days of filing of the complaint, unless there shall be a danger to the complainant. In that case, the investigation shall be completed in five (5) days, conditions permitting. A record of all complaints of sexual harassment will be maintained by the designated officer. In the event that the investigation reveals there is a basis for the complaint, a record of the complaint and the results of the investigation and the discipline imposed will be made a part of the employee's personnel record. (Any employee shall have the right to be heard on any complaint and present proof in

opposition to the complaint.) Where possible, the investigator shall attempt to informally resolve the problem. If the problem cannot be resolved, the matter will be referred for a hearing before an independent Hearing Officer. Upon the close of the hearing, at which the offender may be represented by counsel, the Hearing Officer shall prepare findings of fact and conclusions of law and make a recommendation in writing to the Town Board as to disciplinary action. The Town Board shall act on the recommendations of the Hearing Officer and may accept the recommendations, modify the recommendations or ignore the recommendations. The hearing shall be held by the Hearing Officer within twenty (20) business days of the date that the investigation is complete. The Hearing Officer shall file his findings and recommendations with the Town Board within fourteen (14) business days of the close of the hearings, unless a transcript is required. If a transcript is made, the Hearing Officer shall file his findings and recommendations within ten (10) business days of receipt of the transcript. All action shall be subject to the right of the employee to appeal to the appropriate Federal or State Court.

This directive is for municipal use only and does not apply in any criminal or civil proceeding. The municipal policy shall not be construed as a creation of higher legal standard or safety or care in an evidential sense with respect to third party claims. Violations of this directive will only form the basis for municipal administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

Seconded by: Michael Lambrix Carried by roll call vote as follows:

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

3. Tax Collector Computer

Following a review of the three (3) proposals for the purchase of a computer, Michael Lambrix moved to approve the purchase of a Gateway computer, as proposed, at a cost not to exceed \$1994.00, for the Sally Lynch, Tax Collector.

Seconded by: David Nussbaumer Carried: Unanimously

4. Networking for the Town Office

Following a review of the three (3) proposals obtained for networking the Town Office, David Nussbaumer moved to approve the Town/County proposal at a cost not to exceed \$5,947.00.

Seconded by: Michael Lambrix Carried: Unanimously

N TO APV
URCHASE OF
MPUTER FOR
IX COLLECTOR

N TO APV
ETWORKING
OR THE TOWN
OFFICE

REGULAR TOWN BOARD MTG W/WORKSHOP DECEMBER 11, 1997

5. Order establishing Extension #1 to the SWD

The following resolution was moved by David

ORDER ESTABLISHING
EXT #1 TO SWD

Nussbaumer:

RESOLUTION OF TOWN BOARD ESTABLISHING A DISTRICT

A meeting of the Town Board of the Town of Palmyra was held at 201 East Main Street, in the Town of Palmyra on September 25, 1997, at 8:00 PM on the matter of the Establishment of Extension No. 1 to the South Water District in the Town of Palmyra, pursuant to Article 12-A of the Town Law.

A map, plan and report relating to the establishment of a proposed Extension to the South Water District, prepared by MRB Group, P.C., competent engineers, licensed by the State of New York, in the manner and detail required by the Town Board has been filed with the Town Clerk of the Town of Palmyra, in accordance with the requirements of Article 12-A of the Town Law.

On August 26, 1997, an Order was adopted by the Town Board reciting the filing of the map, plan and report, the boundaries of the proposed extension to the South Water District, the improvements proposed, the estimated expense of these improvements, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office for public inspection and all other matters required by law to be stated.

The Order set September 25, 1997, at 8:00 PM, to consider the map, plan and report and to hear all persons interested in this matter and to take action as required by law.

The Order was published and posted as required by law.

A hearing on the matter was held by the Town Board on September 25, 1997, at 8:00 PM and the matter was fully discussed and all interested persons were heard.

Upon evidence given at the hearing and upon a motion made and seconded, the following resolution was unanimously adopted:

It is hereby determined that:

A. The notice of hearing was published and posted as required by law, and is otherwise sufficient.

B. All the property and property owners within the proposed extension district are benefited thereby.

C. All the property and property owners benefited are included within the limits of the proposed extension district.

D. The establishment of this extension district is in the public interest.

E. That the proposed extension district is outside of the Village of Palmyra and any existing district.

IT IS FURTHER DETERMINED AND RESOLVED, that the extension district, as set forth in the map, plan and report be approved, that the requested improvement be constructed, and that the necessary easements and lands be acquired, upon the required funds being made available and provided for.

IT IS FURTHER RESOLVED, that this district shall be known as the Extension No. 1 of the South Water District in the Town of Palmyra and shall be bounded and described as follows:

SCHEDULE A

TOWN OF PALMYRA EXTENSION NO. 1
TO THE SOUTH WATER DISTRICT

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Palmyra, County of Wayne and State of New York, bounded and described as follows:

Beginning at a point, said point being located on the southeast property corner of tax map number 32111-00-733174; thence

- 1) Westerly along the southern property line of tax map numbers 32111-00-733174, 32111-19-680135 and 32111-19-662134 for a distance of 1000± feet to a point, said point being located on the east line of the Town of Palmyra South Water District; thence
- 2) Northerly along the east line of the South Water District boundary for a distance of 1300± feet to a point, said point being located on the northern property line of tax map number 32111-19-693232, also being the boundary line of the South Water District; thence
- 3) Easterly along the South Water District boundary line, also the northern property line of tax map number 32111-19-693232, across Rolfe Drive ROW and across tax map number 32111-15-727262 for a distance of 750± feet to a point; thence
- 4) Northerly along the South Water District boundary, across tax map numbers 32111-15-727262, 32111-15-725294, 32111-15-724306, 32111-15-724317, 32111-15-723327, 32111-15-722337, 32111-15-727348, and 32111-15-724378 for a distance of 1460± to a point, said point being located on the Village of Palmyra corporation line; thence
- 5) Easterly along the Village of Palmyra corporation line for a distance of 670± feet to a point, said point being located on the South Water District; thence
- 6) Southeasterly across the property of tax map number 32111-16-777393, along the westerly property lines of tax map numbers 32111-16-807390, 32111-16-809383, and 32111-16-812377, also being the South Water District boundary line, for a distance of 300± feet to a point, said point being located on the property line of tax map number 32111-16-781366; thence
- 7) Southerly across tax map numbers 32111-16-781366 and 32111-00-795307 and along the South Water District Boundary line for a distance of 1300± feet to a point,

said point being located on the northern property line of tax map number 32111-00-880130; thence

8) Westerly along the northern property line of said parcel for a distance of 660± feet to a point, said point being located on the western property line of said parcel; thence

9) Southerly along the western property line of said parcel for a distance of 1420± feet to the point and place of beginning.

IT IS FURTHER RESOLVED, that this resolution is subject to permissive referendum as provided in Town Law Section 209-e, in the manner provided in Article 7 of the Town Law, and

IT IS FURTHER RESOLVED, that the Town Clerk shall cause to be published and posted in the Town, a notice that the above resolution was adopted pursuant to a permissive referendum as provided in Article 12-A of the Town Law in the manner provided in Article 7 of the Town Law, and

IT IS FURTHER RESOLVED, that in the event a petition is not received as required by law requiring a referendum, the Town Clerk shall prepare a certificate "that petition was not received" suitable for filing with the County and Town, and

IT IS FURTHER RESOLVED, that the Clerk shall file a certified copy of the Order creating the Extension District within 10 days of creation of the Extension District with the Wayne County Clerk.

ORDER

SOUTH WATER DISTRICT EXTENSION NO. 1 TOWN BOARD FINAL ORDER ESTABLISHING THE DISTRICT

FINAL ORDER
ESTABLISHING
DISTRICT

The Town Board of the Town of Palmyra, Wayne County, New York, has caused a general map, plan and report to be prepared and filed in the Office of the Town Clerk of the Town in relation to the proposed establishment of a Water District or Extension thereto in the Town to be known as Extension No. 1 to the South Water District of the Town of Palmyra.

On August 26, 1997, an Order was adopted by this Board reciting a description of the boundaries of the District, the proposed improvements, the maximum amount proposed to be expended for the improvements, the fact that the map, plan and report had been presented to the Board and were on file in the Town Clerk's Office, and specifying September 25, 1997 at 8:00 PM in the Town Clerk's Office of the Town of Palmyra, New York, as the time when and the place where the Town Board would meet in a Public Hearing to hear all persons interested in the creation of the District, and for any other action on the part of the Town Board concerning the proposed district as might be required by law.

The Order was published and posted in the manner and within the time prescribed by Town Law Section 209-d, and proof of the publication and posting has been presented to the Town Board.

The Public Hearing was held at the time and place set forth in the Order and all persons desiring to be heard were heard.

Following the public hearing and based upon the evidence presented at the hearing, the Town Board, on September 25, 1997 adopted a resolution subject to permissive referendum determining in the affirmative all of the questions set forth in Town Law Sec. 209-e(1) and approving the establishment of the District.

Notice of the adoption of the Resolution was published and posted in the manner required by law and proof of the publication and posting has been presented to the Town Board.

The Town Clerk has filed a certificate that no petition was received within the 30 days as required by law.

The permission of the State Comptroller for the establishment of the District was not necessary as there is no indebtedness.

It is hereby Ordered as follows:

1. Extension No. 1 to the South Water District of the Town of Palmyra, Wayne County, New York, is hereby established substantially in accordance with the above map, plan and report and the District shall be bounded and described as follows:

SCHEDULE A

TOWN OF PALMYRA EXTENSION NO. 1
TO THE SOUTH WATER DISTRICT

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Palmyra, County of Wayne and State of New York, bounded and described as follows:

Beginning at a point, said point being located on the southeast property corner of tax map number 32111-00-733174; thence

- 1) Westerly along the southern property line of tax map numbers 32111-00-733174, 32111-19-680135 and 32111-19-662134 for a distance of 1000± feet to a point, said point being located on the east line of the Town of Palmyra South Water District; thence
- 2) Northerly along the east line of the South Water District boundary for a distance of 1300± feet to a point, said point being located on the northern property line of tax map number 32111-19-693232, also being the boundary line of the South Water District; thence
- 3) Easterly along the South Water District boundary line, also the northern property line of tax map number 32111-19-693232, across Rolfe Drive ROW and across tax map number 32111-15-727262 for a distance of 750± feet to a point; thence
- 4) Northerly along the South Water District boundary, across tax map numbers 32111-15-727262, 32111-15-725277, 32111-15-725274, 32111-15-724306, 32111-15-724317, 32111-15-723317, 32111-15-722337, 32111-15-727348, and 32111-15-724378 for a distance of 1460± to a point, said point being located on the Village of Palmyra corporation line; thence

REGULAR TOWN BOARD MTG W/WORKSHOP

DECEMBER 11, 1997

- 5) Easterly along the Village of Palmyra corporation line for a distance of 670± feet to a point, said point being located on the South Water District; thence
- 6) Southeasterly across the property of tax map number 32111-16-777393, along the westerly property lines of tax map numbers 32111-16-807390, 32111-16-809383, and 32111-16-812377, also being the South Water District boundary line, for a distance of 300± feet to a point, said point being located on the property line of tax map number 32111-16-781366; thence
- 7) Southerly across tax map numbers 32111-16-781366 and 32111-00-795307 and along the South Water District Boundary line for a distance of 1300± feet to a point, said point being located on the northern property line of tax map number 32111-00-880130; thence
- 8) Westerly along the northern property line of said parcel for a distance of 660± feet to a point, said point being located on the western property line of said parcel; thence
- 9) Southerly along the western property line of said parcel for a distance of 1420± feet to the point and place of beginning.

2. The construction of the proposed improvements for the district, consisting of a water system, including water mains, distribution pipes, hydrants, reservoirs, and including a proposed plan of purchase of water from the Wayne County Water and Sewer Authority, and including the purchase of the assets, if any, which presently operates a water system within a portion of the proposed district, and also including land or rights in land, original furnishing, equipment, machinery or apparatus incidental thereto, substantially as set forth on the map, plan and report to, it hereby authorized as a maximum estimated cost of \$0.

3. The improvements servicing the area having been installed by the South Water District, the properties in Extension No. 1 of the South Water District shall pay any charges assessed against the properties in the South Water District.

The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be recorded and filed in accordance with the provisions of Town Law Sec. 209 g(1).

4. This Order shall take effect immediately.

Dated: December 11, 1997
Palmyra, NY

Members of the Town Board of the Town of Palmyra, New York

Seconded by: Michael Lambrix Carried: Unanimously

6. Set Public Hearing for CWD Ext #2
Michael Lambrix moved to set a public hearing date of
Tuesday, January 6, 1998 at 8:00 PM at the Town

MIN TO SET
PUB HEARING
DATE FOR
CWD X#2

Office, 201 E. Main Street, Palmyra, to consider
establishing the Central Water District Extension #2.

Seconded by: David Nussbaumer Carried: Unanimously

7. Proposed repairs to 2nd floor ceilings

David Nussbaumer moved to accept the bid for the
repair of the second floor ceilings and walls that was
submitted by Dube Drywall & Plastering, 946 Archie
Parrot Lane, Palmyra, NY, at an amount not to exceed
\$380.00.

Seconded by: James Welch Carried: 4 Ayes
(Michael Lambrix abstained)

The motion to adjourn this meeting to go into a
workshop meeting was moved by David Nussbaumer.

Seconded by: James Welch Carried: Unanimously

Respectfully respected,
Beverly E. Hickman
Beverly E. Hickman
Town Clerk

N TO APV
D FOR 2ND
COOR REPAIRS

N TO ADJRN
GO INTO
WKSHOP MTG

REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Monday, December 29, 1997, at the Town Office, 201 East Main Street, Palmyra, was called to order at 7:30 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following Town Board members were present:

ROLL CALL

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

The Supervisor's Monthly Report was accepted by the Town Board for filing.

SPRVRS MONTHLY REPORT

COMMUNICATIONS

1. Letter from the NYS Environmental Facilities Corporation acknowledging approval of:
 - * The Municipal M/WBE-EEO Policy Statement
 - * Designation of yourself as Minority Business Enterprise Officer
 - * Project Description

LETTER FROM NYS ENVIRNMENTAL FACILITIES

REPORTS OF STANDING COMMITTEES

- Assessment Committee - Lynne Green, Chairman
1. Assessor Update

ASSESSMT COMM. REPORT

No report at this time.

2. Budget adjustment

BIDGT ADJTMNT

Combined with Supervisor Lyon's adjustment

3. John VanParys - Insurance

VANPARYS QUOTES

John VanParys from VanParys Insurance was present to present the Board with insurance quotes for 1998. He explained the NYMIR policy (self-insured) and recommended staying with them for another year and then checking on the pricing again. Supervisor Lyon agreed with him and stated that we have been with NIMR for over four years and have saved many thousands of dollars in insurance costs. The Board agreed to go with \$3,000,000 of coverage since the cost is down about \$2,000. David Nussbaumer moved to authorize Supervisor Lyon to sign approving payment of the policies in the amount of \$25,798.00.

MIN TO AUTH PMT OF POLICIES

Seconded by: Michael Lambrix Carried: Unanimously

MIN APPROVD

Highway Committee - David Nussbaumer, Chairman

HWY COMM REPORT

1. Recycling of Christmas Trees

Nelson Cook, Highway Superintendent, stated that his crew will make an effort to pick up trees put on the side of the road; this will depend on the weather of course. The alternative is that everyone can take their tree to the Highway Department and drop them off to be mulched at the convenience of the highway department.

2. Truck Bids

TRUCK BIDS

Nelson Cook, Highway Superintendent, explained that only one bid had been received. That bidder was Bean-Mack Sales at a price of \$54,000 with a trade in, or \$61,000 with a trade in on the 1973 Ford. Mr. Cook recommended not trading in the old Ford because he feels he could get more for it at the auction. Some of the Board members were not happy with only one bid.

3. Awarding of truck bid

MIN TO APRV TRUCK BID

David Nussbaumer moved to approve the bid from Bean-Mack Sales, 2674 W. Henrietta Road, Rochester, NY, for a single axle model 1999 RD690P cab and chassis in a amount not to exceed \$64,000.00 without a trade in.

MIN CARRIED

Seconded by: Michael Lambrix

ROLL CALL VOTE

Following a brief discussion, the following roll call vote was taken:

- Lynne Green - Aye David Nussbaumer - Aye
- James Welch - Naye Michael Lambrix - Naye
- Supervisor Lyon - Aye

This motion carried with a 3 to 2 vote.

4. Budget Adjustment

MIN TO APRV bdtg adjstnt

The following budget adjustments were moved by David Nussbaumer:

FROM		TO	
Misc/Weeds-Persnl Svcs		Machinery-Cont Exp	
DA5140.1	\$1024.70	DA5130.4	\$1024.70
Misc/Weeds-Cont Exp		Machinery-Cont Exp	
DA5140.4	\$1038.76	DA5130.4	\$1038.76
State Retirement		Social Security	
DA9010.8	\$ 600.00	DA9030.8	\$ 600.00
State Retirement		Social Security	
DB9010.8	\$ 369.39	DB9030.8	\$ 369.39

Seconded by: Lynne Green Carried: Unanimously

MIN CARRIED

Planning Committee - James Welch, Chairman

PLANNING COMM
REPORT

- 1. Re-appoint Lyman Kaller to Planning Bd

Hold until the Organizational Meeting.

- 2. Budget Adjustment

BUDGET ADJUSTMT

Given to Zoning Committee.

Zoning Committee - Michael Lambrix, Chairman

ZONING COMM
REPORT

- 1. CEO Update

No report at this time.

CEO UPDATE

- 2. Proposed Local Law #2 of 1997 Tower Ordinance

Michael Lambrix had a corrected copy of the tower ordinance from John Nesbitt. The Board quickly went over this to review the changes. Following this review, Michael Lambrix moved to approve Local Law #2 of 1997 entitled "Telecommunications Tower Law" as follows:

MIN TO APRV
LOCAL LAW #2

Seconded by: James Welch Carried: Unanimously

MIN CARRIED

- 3. Budget Adjustments

The following budget adjustments were moved by Michael Lambrix:

MIN TO APRV
BUDGT ADJUSTMTS

	FROM		TO
CEO Clerk Pers Svcs	B8017.1 \$ 862.75	Zoning/Plng-Cont Exp	B8015.4 \$ 862.75
Contingency Acct	B1990.4 \$1690.00	Zoning/Plng-Cont Exp	B8015.4 \$1690.00
Zoning Board Members	B9012.1 \$ 350.00	Zoning/Plng-Cont Exp	B8015.4 \$ 350.00
Planning Board Members	B8021.1 \$ 285.00	Zoning/Plng-Cont Exp	B8015.4 \$ 285.00
Master Plan-Cont Exp	B8021.4 \$ 128.52	Zoning/Plng-Cont Exp	B8015.4 \$ 128.52
Aging Program-Cont Exp.	B6772.4 \$ 195.49	Zoning/Plng-Cont Exp	B8015.4 \$ 195.49

Seconded by: James Welch Carried: Unanimously

MIN CARRIED

AGENDA ITEMS

- 1. Proposed agreement between the Town of Palmyra, Wayne County Water Authority

Background -

The Town of Manchester requested and received permission to extend the existing 8" water main further southerly along Stafford Road into the Town of Manchester to and along Fox Road.

TOP & WCWA
AGREEMENT

Said 7,000 + LF of 8" water line is intended to provide water supply to the Joseph Smith Farm, JR Lon Industries, Gentner and a limited number (11) of other properties.

Water supply will be provided by the WCW&SA via its existing water supply agreements. The initial source of supply is from the Village of Palmyra.

No master meter was initially installed at the Palmyra-Manchester town line because of the initial capital cost and the limited number of customers and flows. However, provision was made to install a master meter unit if there is to be a major increase in the number of customers to be supplied.

Planning of future public water districts in the Town of Manchester indicates that should a prospective "Central Water District" in Manchester be developed, supply could be provided from another source and cause the cessation of supply from the Palmyra connection. There could be a situation where the Manchester source could be used to supply the Stafford and Canandaigua Road areas in the Town of Palmyra.

It is mutually recognized that the pressures and flows currently available in the Stafford Road main are relatively weak and fire flows cannot now be provided. Accordingly, the existing fire hydrants in Manchester are to be "bagged" so as not to be used.

A future transmission main contemplated by the WCW&SA and the Town of Palmyra can improve the pressure and flows if and when said program is implemented, whereafter, the hydrants in Manchester can be activated.

MIN TO APRV
RESOLUTION

Approval of the following resolution and authorization for the Town Supervisor to sign was moved by Michael

Lambrix:

OPERATIONAL ARRANGEMENT

Proposed operation, maintenance and administration of the Manchester Stafford Road Water District will be provided by the Town of Manchester.

The WCW&SA will read the retail meters in Manchester and provide said readings to Manchester. The cost for the meter reading service shall be \$5/meter per year.

The WCW&SA shall provide a listing of the quarterly retail water meters in the district and shall bill the Town of Manchester for the aggregate quantity metered. The Town of Manchester shall send out and collect the retail bills and pay the WCW&SA accordingly for the wholesale quantity uses.

The rate of wholesale charges shall be the same as to any wholesale user (such as the Village of Macedon) in the Western Service Area plus an additional 5 percent as an "Out of County User." (The projected 1998 wholesale rate is \$1.91/TG.)

The Town of Manchester shall pay quarterly for the "wholesale" cost of water as billed by the WCW&SA and thereafter render its charges to the connected users in the District. No moneys shall be withheld by Manchester to the WCW&SA for any failure of its customers to pay their retail bills.

REGULAR TOWN BOARD MEETING

DECEMBER 29, 1997

At a future date, if Manchester is to supply Stafford Road and Rte. 21 in Palmyra, the Town of Palmyra (or WCW&SA) will install master meters at said points of connection at the Town line. Manchester shall charge the Town of Palmyra (or WCW&SA) at the same wholesale rate from the City of Canandaigua and the Canandaigua-Farmington Water District that Manchester pays at its master meter plus 3%.

No connection charges will be paid by Manchester to either Palmyra or the WCW&SA.

All connections to the public system shall be inspected by the Town of Manchester and certified that installations were in compliance with AWWA standards for water services.

Any breaks in the 8" main will be immediately fixed within a 24 hour period and the WCW&SA will be notified of said break. Any extraordinary "unaccounted for" water shall be determined and shall be reconciled through negotiations between the Town of Manchester and the WCW&SA.

The WCW&SA shall provide its supply to Manchester under the same general terms and conditions that it applies to its own service area.

To be accepted by: Wayne County Water &
Sewer Authority
Town of Palmyra
Town of Manchester

Seconded by: David Nussbaumer Carried: Unanimously

MTN CARRIED

2. Increase fees for office cleaning from \$35.00 per week to \$50.00 per week

MTN FOR
FEE INCREASE
FOR OFFICE
CLEANING

David Nussbaumer moved to approve increasing the pay for office cleaning to \$50.00 per week.

Seconded by: Michael Lambrix

MTN CARRIED

Roll call vote called:

Michael Lambrix - Aye
James Welch - Aye
David Nussbaumer - Aye
Lynne Greenb - Aye
Supervisor Lyon - Aye Motion carried.

ROLL CALL
VOTE

3. Master Plan Public Hearing - January 19, 1998
7 PM at the Palmyra Fire Hall - Joint Town
and Village

MTN TO SET
PUB HRG DATE
MASTER PLAN

Michael Lambrix moved to set a date of Monday, January 19, 1998 at 7 PM to hold a public hearing regarding the proposed Master Plan for the Town and Village of Palmyra, at the Palmyra Fire Hall, Palmyra, New York.

Seconded by: David Nussbaumer Carried: Unanimously

MTN CARRIED

4. Organizational Meetir - Jan. 6, 1998 - 7 PM
Town Office

ORG. MTG

Information only.

5. Budget Adjustments

The following budget adjustments were moved by

Supervisor Lyon:

MIN FOR BDOF
ADJUSTMS

FROM	TO
Supv-Equipment A1220.2 \$ 242.97	Supv-Contr Expenses A1220.4 \$ 242.97
Assessor-Equipmnt A1355.2 \$ 32.00	Assessor-Temp Clerk 1356.101 \$ 32.00
Assessor-Cont Exp A1355.4 \$ 224.00	Assessor-Temp Clerk A1356.101 \$ 224.00
Town Clerk-Equipment A1410.2 \$ 107.71	Town Clerk-Cont Exp A1410.4 \$ 107.71
Contingency Account A1990.4 \$2440.50	Town Clerk-Deputy Salary A1411.1 \$2440.50
Town Clerk-Equipment A1410.2 \$ 80.00	Town Clerk-Deputy Salary A1411.1 \$ 80.00
Garage Equipment A5132.2 \$1163.25	Garage-Cont Expense A5132.4 \$1163.00
Contingency Account A1990.4 \$1125.27	Garage-Cont Expense A5132.4 \$1125.27
Contingency Account A1990.4 \$ 33.00	Cemetary-Cont Expense A8810.4 \$ 33.00
Supv-Equipment A1220.2 \$ 20.00	Supv-Contr Expense A1220.4 \$ 20.00
Town Clerk-Equipment A1410.2 \$ 12.29	Town Clerk-Deputy Salary A1411.1 \$ 12.29
Contingency Account A1990.4 \$ 3.71	Town Clerk-Deputy Salary A1411.1 \$ 3.71
Board of Health-Cont Exp B4010.4 \$ 300.00	Street Lighting B5182.4 \$ 300.00
Shared Svcs-Central Malng B1670.4 \$ 75.42	Street Lighting B5182.4 \$ 75.42
North Water-Cont Acct FA1990.4 \$1344.23	North Water-Wtr Prchse FA8320.4 \$1344.23
South Water-Interfund Trans-SW Reserve FS9950.9 \$2761.31	South Water-Water Prchse FS8320.4 \$2761.31
CWD-Contingency Acct FC1990.4 \$ 453.47	CWD-Water Purchase FC8320.4 \$ 453.47
CWD-Admin-Misc Exp FC8310.103 \$ 10.94	CWD-Water Purchase FC8320.4 \$ 10.94
CWD-Employee Benefits FC9030.8 \$ 8.55	CWD-Water Purchase FC8320.4 \$ 8.55
CWD-Fund Balance FC909 \$6779.10	CWD-Water Purchase FC8320.4 \$6779.10
CWD-Fund Balance FC909 \$ 66.59	CWD-Utilities Expense FC8320.401 \$ 66.59
CWD-Fund Balance FC909 \$ 215.00	CWD-Hookups FC8340.23 \$ 215.00

REGULAR TOWN BOARD MEETING

DECEMBER 29, 1997

CWD-Fund Balance	CWD-Operation & Maint
FC909 \$ 952.00	FC8340.4 \$ 952.00

MIN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

6. Motion to set Public Hearing date for Small Cities Grant Application

MIN TO SET
PUB HRG
SMALL CITIES
GRANT APPLIC

Supervisor Lyon moved to set January 22, 1998, at 7:30 PM at the Palmyra Town Office, 201 E. Main Street, Palmyra, as the date to hold a Public Hearing to consider a Small Cities Grant.

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

7. Motion to set Public Hearing date for the second part of the Small Cities Grant

Michael Lambrix moved to set February 12, 1998, at 7:30 PM at the Palmyra Town Office, 201 E. Main Street, Palmyra, as the date to hold a Public Hearing to consider part 2 of the Small Cities Grant.

Seconded by: James Welch Carried: Unanimously

MIN CARRIED

Following a review of the expenditures and claims submitted, David Nussbaumer moved to approve payment of the expenditures shown on Abstract #12 with totals as follows:

MIN TO APRV
PMT OF EXPEN

<u>Account</u>	<u>Invoice #</u>	<u>Amount</u>
General	418-472	\$50478.57
Part-Town	181-203	\$15395.92
DA Highway	210-230	\$ 6823.63
DB Highway	92-93	\$ 734.75
North Water	31-33	\$ 3884.61
South Water	22-23	\$ 3727.99
East Water	24-25	\$ 1437.91
Central Water	47-51	\$11967.77
Central Water Ext.#1	5-6	\$ 481.61
HC Cap Proj CX#1	29-31	\$ 7450.00

Seconded by: Michael Lambrix Carried: Unanimously
 (Supervisor Lyon voted "naye" on invoice #92)

MIN CARRIED

The motion to adjourn this meeting of the Town Board was offered by David Nussbaumer.

MIN TO ADJRN

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

Respectfully submitted,
Beverly E. Hickman
 Beverly E. Hickman
 Town Clerk