

**SECOND PUBLIC HEARING FOR PROPOSED
JOHNSON-FLOODMAN WATER DISTRICT**

**PALMYRA TOWN HALL
JANUARY 24, 2008**

The Public Hearing scheduled for Thursday, January 24, 2008 at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, to consider the proposed Johnson-Floodman Water District, was called to order at 7:30 p.m. by Town Supervisor David Lyon.

**PUBLIC
HEARING
CALLED TO
ORDER**

He stated that due to some legal technicalities, the town had to hold a second public hearing for the proposed Johnson-Floodman Water District. The following legal notice for the public hearing had been previously posted and published, announcing the hearing:

LEGAL NOTICE

In The Matter of the Creation of the Johnson-Floodman Water District
in the Town of Palmyra, County of Wayne, State of New York

Resolution and Order for Public Hearing

WHEREAS, a written Petition in multiple parts, dated October 25, 2007 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Palmyra, Wayne County, New York for the establishment of the Johnson-Floodman Water District in said Town to be bounded and described as follows:

**LEGAL NOTICE:
RESOLUTION
AND ORDER FOR
PUBLIC
HEARING**

ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Town of Palmyra, County of Wayne and State of New York outside of the Village of Palmyra and any existing Water District bounded and described as follows:

Schedule "A"

LEGAL DESCRIPTION OF PREMISES

ALL THAT TRACT or parcel of land situate in the Town of Palmyra, County of Wayne and State of New York, situate outside of an incorporated Village bounded and described as follows:

Parcel A – Beginning at the intersection of the north line of the Central Water District with the centerline of Parker Road; thence

- 1) Easterly along the north line of the Central Water District to the east line of tax map parcel number 65112-00-181847; thence
- 2) Northerly along the east line of tax map parcel numbers 65112-00-181847, 65112-00-099960 and 64113-00-977131 to the northeast corner of tax map parcel number 64113-00-977131; thence

- 3) Westerly along the north line of tax map parcel number 64113-00-977131 to the northwest corner of the tax map parcel; thence
- 4) Southerly along the west line of tax map parcel numbers 64113-00-977131, 64112-00-874995 and 64112-00-843860 to the north line of the Central Water District; thence
- 5) Easterly along the north line of the Central Water District to the point and place of beginning.

Parcel B – Beginning at the intersection of the west line of the Central Water District with the south line of the Town of Palmyra; thence

- 1) North along the west line of the Central Water District to the intersection of the south line of the East Water District with the north line of tax map parcel number 65111-00-419265; thence
- 2) Westerly along the south line of the East Water District and northerly along said east line till it intersects on Howell Street the south line of the Village of Palmyra; thence
- 3) Westerly along the south line of the Village of Palmyra till it intersects the east line of the Canandaigua Road Water District; thence
- 4) Southerly along the west line of the Canandaigua Road Water District till it intersects with the north line of the Central Water District; thence
- 5) Southerly along the east line of the Central Water District and Extension No. 1 of the Central Water District till it intersects with the south line of the Town of Palmyra; thence
- 6) Easterly along the south line of the Town of Palmyra to the point of beginning.

**LEGAL NOTICE:
RESOLUTION
AND ORDER FOR
PUBLIC
HEARING**

Parcel C – Beginning at the intersection of the west line of the East Palmyra Port Gibson Water District with the south line of the CSX Railroad; thence

- 1) Westerly along the south line of the CSX Railroad to its intersection with South Creek Road; thence
- 2) Westerly along the centerline of South Creek Road to a point 650± feet south of the south line of tax map parcel number 66112-00-231278; thence
- 3) Southeasterly till it intersects with the west line of tax map parcel number 66112-00-325258; thence
- 4) Southerly along the west line of tax map parcel number 66112-00-325258 to its southwest corner; thence
- 5) Easterly along the south line of tax map parcel number 66112-00-325258 till it intersects with the west line of tax map parcel number 66112-00-438198; thence
- 6) Southerly along the west line of tax map parcel number 66112-00-438198 its southwest corner; thence
- 7) Easterly along the south line of tax map parcel numbers 66112-00-438198 and 66112-00-500114 till it intersects with the west line of tax map parcel number 66111-00-629940; thence
- 8) Southerly along the west line of tax map parcel numbers 66111-00-629940 and 66111-00-622840 till it intersects with the north line of the East Palmyra Port Gibson Road Water District; thence

- 9) Easterly along the north line of the East Palmyra Port Gibson Road Water District till it intersects with the west line of said Water District; thence
- 10) Northerly, easterly, northerly, westerly and northerly along the west line of the East Palmyra Port Gibson Road Water District to the point and place of beginning.

Parcel D – Beginning at the intersection of the centerline of the East Palmyra Port Gibson Road Water District with the north line of the County of Wayne, tax map parcel number 66111-00-380292; thence

- 1) Northwesterly and northerly along the north and east lines of the County of Wayne parcel to the north line of tax map parcel number 66111-00-608272; thence
- 2) Easterly along the north line of tax map parcel number 66111-00-608272 and tax map parcel number 66111-00-451412 to the intersection with the west line of the Central Water District; thence
- 3) Easterly along the south line of the Central Water District to its east line and continuing easterly along the north line of tax map parcel number 66111-00-784346 to the north east corner of said parcel; thence
- 4) Southerly along the east line of tax map parcel number 66111-00-784346 to the north line of tax map parcel number 66111-00-864148; thence
- 5) Westerly along the north line of tax map parcel number 66111-00-864148 to a point 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road Water District; thence
- 6) Southerly and always 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road to the north line of the County of Wayne tax map parcel number 66111-00-380292; thence
- 7) Westerly along the north line of the County of Wayne to the point and place of beginning.

**LEGAL NOTICE:
RESOLUTION
AND ORDER FOR
PUBLIC
HEARING**

WHEREAS, the Town Board of the Town of Palmyra has caused a map, plan and report to be prepared by the Town's consulting engineers, MRB Group, P.C., competent engineers duly licensed by the State of New York for the proposed Johnson-Floodman Water District, consisting of the installation of:

1. 29.800 lineal feet of 8" pvc watermain;
2. 50 hydrants;
3. 31 8" gate valves; and
4. Original equipment, machinery, furnishing sewer appurtances, related site work, land rights in land, and professional services all in said map, plan and report which has been duly filed in the Office of the Town Clerk of the Town for public inspection.

WHEREAS, the maximum amount to be expended in the construction of the water distribution system and for the acquisition of land or improvements is \$1,124,000.00.

WHEREAS, the project is subject to the receipt of a grant of \$491,000.00 and the approval of the Office of the State Comptroller.

It is proposed that the average home will pay \$980.00, including water consumption charges in the first year; and it is

ORDERED, that at a meeting of the Town Board of the Town of Palmyra to be held at the Town Hall, 1180 Canandaigua Road, Palmyra, New York on the 24th day of January, 2008 at 7:30 o'clock in the evening of that day to consider the report and plan as filed and to hear all persons interested in the subject thereof concerning the Water District and for such other actions on the vote of said Town Board with relation to the said map, plan and report and for such proceedings as may be required by law or proper in the premises.

**LEGAL NOTICE:
RESOLUTION
AND ORDER FOR
PUBLIC
HEARING**

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Palmyra is hereby authorized and directed to publish a notice of said hearing in the Palmyra *Courier-Journal* and to post a notice of this hearing in the Town Clerk's bulletin board and at such other place and in the time and manner as required by law.

Dated: December 27, 2007

Due to the length of the legal notice, Mike Lambrix made the motion to waive the reading of the notice.

**MTN: WAIVE
READING OF
LEGAL NOTICE**

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

Supervisor Lyon then asked those present if anyone would like to comment on the proposed water district. There were no comments. Mike Lambrix made the motion that the public hearing be closed.

**MTN: CLOSE
PUBLIC
HEARING**

Second: Jim Welch Vote: 5 ayes. Carried.

The public hearing was closed at 7:31 p.m.

**REGULAR MEETING OF THE TOWN BOARD
DECEMBER 27, 2007**

CALL TO ORDER

At 7:31 p.m., Supervisor Lyon called to order the regular town board meeting, scheduled to be held on Thursday, December 27, 2007, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY.

**PLEDGE OF
ALLEGIANCE**

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

Upon roll call, the following board members were present:

- David C. Lyon, Supervisor
- James Welch, Councilman
- David Nussbaumer, Councilman
- Kenneth Miller, Councilman
- Michael Lambrix, Councilman

ROLL CALL

Also attending the meeting: Palmyra Highway Superintendent Mike Boesel, Billie Rae Walker, reporter for the *Courier-Journal*, Code Enforcement Officer Bob Grier, Palmyra residents Joe Pesarek and Annette Yost, Rod Prosser and Betsy Brugg from Lakeside Engineering, representing Canalside Estates, and Karen M. and Edward Christopherson, who received notice about a nuisance property.

MEETING ATTENDANCE

Motion was made by Mike Lambrix to approve the minutes of the December 27, 2007 meeting of the Town Board.

**MTN: APPRV
12/27/2007 TOWN
BOARD MTG**

Second: Ken Miller

Vote: 5 ayes. Carried.

Motion was made by Dave Nussbaumer to approve the minutes of the Town Organizational Meeting on January 3, 2008.

**MTN: APPRV
1/3/2008 TOWN
ORGANIZA-
TIONAL
MEETING**

Second: Mike Lambrix

Vote: 5 ayes. Carried.

COMMUNICATIONS

No communications at this time.

REPORTS BY STANDING COMMITTEES

**Buildings and Grounds Committee – Kenneth Miller,
Chairman**

Ken Miller reported that little was new this month. He is getting a quote for installing an electrical outlet at the back of the building to power the heat tapes previously installed on the roof, to diminish or eliminate huge ice buildups. Ken added that things are in good shape at this time.

**BUILDINGS AND
GROUNDS
REPORT FOR
JANUARY**

Highway Committee – James Welch, Chairman

1. Highway Department Report for January: Mike Boesel updated the town board on the things the Highway Department has been working on during January.

Highway Superintendent Report For Town Board Meeting--1/24/08

Since the 12/27/07 meeting we have completed the following work:

- Brushmowing – Cornwall Road, Parker Road, Leroy Road
- Tree work – Bear Hill Drive and Rolfe Drive
- Pothole patching – all roads reviewed
- Equipment service – several
- Hauling – 1200+ tons of sand
- Salt – Ordered 765 tons
- Plowing/Sanding runs on 9 of the past 28 days and a total of 44 trips out of the barn this winter season. Last year at this time we were up to 34 trips.

HIGHWAY DEPARTMENT REPORT FOR JANUARY

Other miscellaneous items include:

- Village Budget – I have been working on the 08-09 Village Budget. We had our first budget session on 1/15/08. I believe the next session is on Monday February 4th.
- Hauling – Our sandmix and salt barns are both full again.
- Tree work – Gary Hopkins trained us on using the Village bucket truck for our tree work on Bear Hill Drive and Rolfe Drive. More tree work is planned for various spots around the Town.
- Phone System – Should be installed within the next 30 days.
- SMSI Grant – We should be hearing back regarding our application within the next 30 days.
- Emergency Sander Purchase – We picked up our new sander from Smith Metal Works on 1/15.
- Equipment Update –
 - C1 – brake work at Van Bortel Ford – warranty work
 - T14 – fuel in oil, Tracey Road Eqp found leaky injector
 - T14 – Thruway Spring for leaf/spring work
 - Fire Extinguishers – annual inspection completed
 - T12/T22 – Safety Recall work completed
 - All trucks and equipment is currently being looked at for daily maintenance items.
 - E-62 push plow quick-connect fabrication
- The date for the 23rd Annual Palmyra Municipal Auction has been set, Saturday May 10, 2008, 9am. I will have an Auction Contract for the next TB agenda

Any questions, comments or concerns I will be glad to answer.

Planning & Economic Development Committee – Mike Lambrix, Chairman

Minutes of the January 14, 2008 Planning Board meeting were provided to Town Board members. Supervisor Lyon allowed a few minutes for them to read the minutes and ask any questions before proceeding to the next item of business.

**MINUTES OF
JANUARY
PLANNING
BOARD
MEETING GIVEN
TO TOWN
BOARD**

Zoning Committee – David Nussbaumer, Chairman

- 1. CEO Report: Code Enforcement Officer Bob Grier submitted his monthly report, summarizing activity through January 24.

**CEO REPORT
FOR JANUARY**

- 2. Nuisance Property on North Creek Road: Next, Dave Nussbaumer asked Bob to update the board on the North Creek Road nuisance property that they were following. Bob said about 50% of the stuff has been moved off by the owner, Scott Blackburn. By law, he still has until the 27th to complete the cleanup. At this point, items still on the property include one large tractor trailer, 3 smaller trailers, cars, pieces of cars, and tires. Dave Lyon asked Highway Superintendent Mike Boesel to meet with Bob to survey the property to determine if his crew could handle the remaining cleanup items, or if it needs to be hired out.

**UPDATE ON
NUISANCE
PROPERTY ON
NORTH CREEK
ROAD**

Ken Miller added that scrap steel and iron are worth the highest amount ever at this time. It could be a good deal for the town to get the money from the scrap metal.

Jim Welch wanted to know if the property was in foreclosure at this time. Bob said the only parcel in foreclosure is the adjacent one with the house, also in Blackburn's name, but not the vacant property in question here.

- 3. Division Street Storage Facilities Complaint Update: Ken Miller asked Bob if there has been any action on the complaint made by neighbors of the storage and industrial facilities at the end of Division Street. Ken had heard additional complaints about the noise and smells since the December meeting. Bob said he was there last week, but hasn't noticed any changes since the last time he inspected.

**UPDATE ON
COMPLAINT OF
NOISE, SMELLS
AT DIVISION
STREET
INDUSTRIAL
PLANT**

Bob added that the new law has more restrictions, and that the roller manufacturer may now be out of compliance. Bob will cite the company tomorrow, and they will then have 30 days to comply.

At this point in the meeting, it was 7:45 p.m., the appointed time for the public hearing on the cited Nuisance Property at 936 Garnsey Road, so Dave Lyon suspended the regular meeting and announced it was time for the hearing.

HEARING FOR NUISANCE PROPERTY -- 936 GARNSEY ROAD

Edward Christopherson, brother of the owner, Karen L. Christopherson, was in attendance, along with his sister-in-law, Karen M. Christopherson. Ed started the discussion saying he is now in the process of moving. He has been pulling stuff off the site at 936 Garnsey Road, for several months, depending on the weather, which slows him down.

Bob Grier noted that he had received a letter from Karen's attorney, saying the property would be cleaned up soon. The letter was dated December 26, 1998. Ed added he is now loading containers, that the property is up for sale, that he is going as fast as weather and his equipment will allow, and that he plans a total cleanup so the house and property will sell.

**HEARING FOR
NUISANCE
PROPERTY AT
936 GARNSEY
ROAD**

Dave Lyon suggested that the board receive a monthly report by the Zoning Officer on the progress of the cleanup.

Mike Lambrix thought the board could set a "reasonable date" for the cleanup to be done, and monitor it on a regular basis. Dave Nussbaumer thought that a deadline for the end of June should be a "reasonable date."

Ed Christopherson said his new property in Newark--where he is moving all this equipment--should have its closing within the next 60 days. Since the paperwork for the closing is currently in the hands of the attorney, it might be delayed.

Jim Welch asked if Mike Boesel had been to the property. Mike said he had, and that things that had been on the right of way for traffic and his crew's snowplows, have now been moved off to the side of the road.

When Ken Miller said he doesn't "believe it's the town's or Bob Grier's responsibility to report back to us" about the cleanup's progress, but that it is Ed Christopherson's responsibility to report back to the board and to request additional time for cleanup, if needed, the rest of the board members agreed.

Bob Grier said he would check on a regular basis and let the board know the percentage of stuff moved off the property each month. Dave Lyon agreed. Dave also cautioned Ed that if this schedule isn't followed through as stated, the town would institute the cleanup and charge the cost back to the owner.

Jim Welch thought August 1st would be a better date to be sure the cleanup is done. Bob Grier agreed, and felt that would still leave enough time of good weather in case the town has to finish up. Ed Christopherson agreed. Dave Lyon said the town will draft an agreement for Ed to sign.

Bob asked if Ed has any legal standing on the property since his sister, Karen L. Christopherson is the owner. Ed said he has, since he is the property's "operator."

Dave Nussbaumer asked Ed if August 1st seemed fair enough for him? Ed said okay.

Ken Miller then made the motion to draft up an agreement for the August 1st deadline to complete the cleanup.

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

At 7:59 p.m., the hearing was completed and the town board continued with its regularly scheduled town board meeting.

The next item on the agenda was a presentation by Lakeside Engineering--on behalf of the Canalside Estates Manufactured Home Park.

Morgan Management, 1170 Pittsford-Victor Road, Pittsford, NY 14534, owns Canalside Estates, that has previously been approved for up to 99 lots in its Phases 1 and 2 of development. They have more acreage which they would like to develop into 40 more lots, and are now asking both the Planning Board and the Town Board to approve their request for expansion by Special Use Authorization. In the past, the maximum amount of units allowed in Palmyra has been 99 units.

**MTN:
AUTHORIZE
AGREEMENT
FOR AUGUST 1
DEADLINE ON
936 GARNSEY
RD. NUISANCE
PROPERTY**

**HEARING
CLOSED**

**PRESENTATION
BY LAKESIDE
ENGINEERING
FOR EXPANSION
OF CANALSIDE
ESTATES FROM
99 UNITS TO 139
UNITS**

Rod Prosser, P.E., President of Lakeside Engineering, P.C., made the presentation, with Betsy D. Brugg, Esq., as counsel for Morgan Management, available to answer questions board members had.

Town Board members wondered why only 27 lots are presently occupied, if the developers have already received permission to use up to 99. Another question they had was if the streets had been dedicated to the town. Some larger vehicles, including emergency vehicles, have a hard time negotiating the narrow street. The roads have not been dedicated to the town. It is up to the management of the park to see that the street is plowed, and otherwise maintained. The board also asked what the steps would be if the town board were to approve their request.

At the end of the discussion, Rod Prosser said they are asking for permission to expand now, knowing the paperwork would take well over a year to negotiate (with the DOT and DEC) and get approvals. Betsy Brugg asked board members if they would be willing to support the idea of expansion in this Phase 3 of the plan. Board members responded by saying they have been very impressed with the care taken by the owners, and are behind the developers' expansion plan concept.

**MTN: APPROVE
CONCEPTUALLY
THE REQUEST
FOR SPECIAL
USE PERMIT TO
EXPAND
CANALSIDE
ESTATES**

Mike Lambrix made the motion to approve the request conceptually for a Special Use Permit to expand Canalside Estates, with the next step being for the developers to go back to the Planning Board to work out the details.

Second: Ken Miller

Vote: 5 Ayes. Carried.

INFORMATIONAL ITEMS

1. Town Clerk's Report for January: In addition to the flurry of activity at this time of year with Town/County tax collection, the office has been deluged with responses to the large orange postcard mailed to all Palmyra residents, letting them know of an upcoming dog enumeration, and that there are penalties for having unlicensed dogs. In addition, Celeste is in the final stages of a grant requesting scanning software. All paperwork must be postmarked by February 1.

**TOWN CLERK'S
REPORT FOR
JANUARY 2008**

- 2. Assessor's Report for January: This is the time of year when Tax Exemption forms are sent out to low-income Senior citizens to continue with their STAR exemption for school taxes. Elaine is almost done putting values on the properties. She attached a list of the new railroad values. The two new computers purchased last year needed readjustments to run the new software properly. Things appear to have been fixed, and now Joan can input the 3,000 photographs of the properties that Elaine took in the Fall.

**ASSESSOR'S
REPORT FOR
JANUARY**

AGENDA ITEMS

- 1. 936 Garnsey Road Nuisance Property Action: No action was taken at this time, since the motion had already been made and carried previously.
- 2. Resolution and Order: Johnson-Floodman Water District-- Establishing the District: This resolution and order approves the establishment of the Johnson-Floodman Water District subject to the approval of the Office of the Comptroller of the State of New York, and authorizes the application to the Office of the State Comptroller for approval of this water district:

**NO ACTION ON
GARNSEY RD.
NUISANCE
PROPERTY**

**In The Matter of the Creation of
Johnson-Floodman Water District in the
Town of Palmyra, County of Wayne, State of New York**

Resolution and Order of the Town of Palmyra, County of Wayne, State of New York, adopted January 24, 2008, approving the establishment of Johnson-Floodman Water District in said Town subject to the approval of the Office of the Comptroller of the State of New York and authorizing an application to the Office of the State Comptroller for approval of Johnson-Floodman Water District

**RESOLUTION &
ORDER
ESTABLISHING
JOHNSON-
FLOODMAN
WATER
DISTRICT**

WHEREAS, pursuant to Article 12 of the Town Law of the State of New York, a petition for the creation of a water district to be known as the Johnson-Floodman Water District in the Town of Palmyra, County of Wayne and State of New York multiple parts dated the 25th day of October, 2007, was duly presented to the Town Board of the Town of Palmyra, together with the necessary map and plan attached thereto, and

WHEREAS, an Order was duly adopted by the Town Board on December 27, 2007, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed district and the estimated expense thereof, and specifying January 24, 2008, at 7:30 o'clock P.M. as the time and the Town Hall at 1180 Canandaigua Road, Palmyra, New York in said Town as the place where the

Town Board would meet to consider the petitions and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, such order was duly posted and published as required by law, and

WHEREAS, a hearing in the matter was duly held by the Town Board on this 24th day of January, 2008, commencing at 7:30 o'clock P.M. at the Town Hall in said Town and discussion on said matter having been had, and all persons desiring to be heard having been duly heard, including petitions in favor of the establishment of the proposed district and others in favor of the proposed district and those who were opposed to the proposed district.

NOW, upon the evidence given upon such hearing and on the motion of David Nussbaumer, Councilman, seconded by Michael Lambrix, Councilman, it was unanimously passed, and it is

RESOLVED AND DETERMINED that:

a) the petitions aforesaid were signed and acknowledged or proved as required by law, and the petitions duly comply with the requirements of Section 191 of the Town Law as to sufficiency of signers, and the petitions were otherwise sufficient;

**RESOLUTION &
ORDER
ESTABLISHING
JOHNSON-
FLOODMAN WATER
DISTRICT**

b) All the property and property owners within the proposed district are benefited thereby;

c) All of the property and property owners benefited are included within the limits of the proposed district, and

d) it is in the public interest to grant in whole the relief sought; and it is further

ORDERED AND DETERMINED that the establishment of Johnson-Floodman Water District as proposed in said petitions be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such district shall be designated and known as the Johnson-Floodman Water District and shall be bounded and described as follows:

ALL THAT TRACT or parcel of land situate in the Town of Palmyra, County of Wayne and State of New York, situate outside of an incorporated Village bounded and described as follows:

Parcel A – Beginning at the intersection of the north line of the Central Water District with the centerline of Parker Road; thence

- 6) Easterly along the north line of the Central Water District to the east line of tax map parcel number 65112-00-181847; thence
- 7) Northerly along the east line of tax map parcel numbers 65112-00-181847, 65112-00-099960 and 64113-00-977131 to the northeast corner of tax map parcel number 64113-00-977131; thence

- 8) Westerly along the north line of tax map parcel number 64113-00-977131 to the northwest corner of the tax map parcel; thence
- 9) Southerly along the west line of tax map parcel numbers 64113-00-977131, 64112-00-874995 and 64112-00-843860 to the north line of the Central Water District; thence
- 10) Easterly along the north line of the Central Water District to the point and place of beginning.

Parcel B – Beginning at the intersection of the centerline of South Townline Road with the west line of the Central Water District; thence

- 1) Northerly, easterly and northerly along the west line of the Central Water District to its intersection with the centerline of Vienna Road; thence
- 2) Northerly along the centerline of Vienna Road to its intersection with the south line of the East Water District; thence
- 3) Westerly, southerly, westerly, northerly, easterly, northerly, westerly, southerly, westerly, southerly, westerly and northerly along the south, east and west lines of the East Water District to the south line of the Village of Palmyra; thence
- 4) Westerly along the south line of the Village of Palmyra to its intersection with the east line of the Johnson Road Water District; thence
- 5) Southerly, westerly and northerly along the east, south and west line of the Johnson Road Water District to the south line of the Village of Palmyra; thence
- 6) Westerly along the south line of the Village of Palmyra to the west line of the Canandaigua Road Water District; thence
- 7) Southerly, westerly and southerly along the Canandaigua Road Water District to the north line of the Central Water District; thence
- 8) Easterly, southerly, easterly, southerly and easterly along the northerly and easterly lines of the Central Water District to the south line of the Town of Palmyra; thence
- 9) Easterly along the town line of the Town of Palmyra to the point and place of beginning.

**RESOLUTION &
ORDER
ESTABLISHING
JOHNSON-
FLOODMAN
WATER
DISTRICT**

Parcel C – Beginning at the intersection of the west line of the East Palmyra Port Gibson Water District with the south line of the CSX Railroad; thence

- 11) Westerly along the south line of the CSX Railroad to its intersection with South Creek Road; thence
- 12) Westerly along the centerline of South Creek Road to a point 650± feet south of the south line of tax map parcel number 66112-00-231278; thence
- 13) Southeasterly till it intersects with the west line of tax map parcel number 66112-00-325258; thence
- 14) Southerly along the west line of tax map parcel number 66112-00-325258 to its southwest corner; thence

- 15) Easterly along the south line of tax map parcel number 66112-00-325258 till it intersects with the west line of tax map parcel number 66112-00-438198; thence
- 16) Southerly along the west line of tax map parcel number 66112-00-438198 to its southwest corner; thence
- 17) Easterly along the south line of tax map parcel numbers 66112-00-438198 and 66112-00-500114 till it intersects with the west line of tax map parcel number 66111-00-629940; thence
- 18) Southerly along the west line of tax map parcel numbers 66111-00-629940 and 66111-00-622840 till it intersects with the north line of the East Palmyra Port Gibson Road Water District; thence
- 19) Easterly along the north line of the East Palmyra Port Gibson Road Water District till it intersects with the west line of said Water District; thence
- 20) Northerly, easterly, northerly, westerly and northerly along the west line of the East Palmyra Port Gibson Road Water District to the point and place of beginning.

Parcel D – Beginning at the intersection of the centerline of the East Palmyra Port Gibson Road Water District with the north line of the property of the County of Wayne, tax map parcel number 66111-00-380292; thence

**RESOLUTION &
ORDER
ESTABLISHING
JOHNSON-
FLOODMAN
WATER
DISTRICT**

- 8) Northwesterly and northerly along the north and east lines of the County of Wayne parcel to the north line of tax map parcel number 66111-00-608272; thence
- 9) Easterly along the north line of tax map parcel number 66111-00-608272 and tax map parcel number 66111-00-451412 to the intersection with the west line of the Central Water District; thence
- 10) Easterly along the south line of the Central Water District to its east line and continuing easterly along the north line of tax map parcel number 66111-00-784346 to the north east corner of said parcel; thence
- 11) Southerly along the east line of tax map parcel number 66111-00-784346 to the north line of tax map parcel number 66111-00-864148; thence
- 12) Westerly along the north line of tax map parcel number 66111-00-864148 to a point 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road Water District; thence
- 13) Southerly and always 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road Water District to the north line of the County of Wayne tax map parcel number 66111-00-380292; thence
- 14) Westerly along the north line of the County of Wayne property to the point and place of beginning.

and it is

FURTHER RESOLVED that the maximum amount to be expended for all the improvements in the District is \$1,124,000.00.

RESOLVED that the proposed improvements, including costs of rights of way, construction costs, legal fees and all other expenses shall be furnished as follows:

- a) by receipt of a grant in the amount of \$491,000.00, and by a loan from the United States Department of Agriculture in the amount of \$633,000.00, with interest at ____% per annum payable in thirty-eight (38) years by issuance to the United States Department of Agriculture serial bonds of the Town to finance said costs from assessment, levy and collection of special assessments on the (units) properties within the District which the Town Board shall determine, and specify to be benefited thereby so much upon and from such as shall be in just proportion is the amount of the benefit conferred upon the same, to pay the purchase of and interest on said bonds as same shall become due and payable; and

**RESOLUTION &
ORDER
ESTABLISHING
JOHNSON-
FLOODMAN
WATER
DISTRICT**

IT IS ORDERED that the Town of Palmyra shall petition the Office of the State Comptroller for the necessary approval of the proposed financing and expenses for the water district as the cost to the average unit benefited will be \$980.00 per year including consumption of water which sum exceeds the present threshold of \$613.00 per average unit, and

IT IS FURTHER ORDERED that the Town Clerk is hereby authorized to file a certified copy of this Order with the State Comptroller in the Department of Audit and Control within ten (10) days after the approval of the adoption of this Resolution and Order.

**MTN: APPROVE
RESOLUTION &
ORDER
ESTABLISHING
JOHNSON-
FLOODMAN
WATER
DISTRICT**

Dated at Palmyra, New York, on the 24th day of January, 2008.

Councilman Dave Nussbaumer made the motion to approve this Resolution and Order.

Second: Mike Lambrix Vote: 5 ayes. Carried.

Board members signed the Resolution and Order.

- 3. Appoint Williamson Town Clerk to Represent Palmyra at Association of Towns Annual Meeting: It was learned that Macedon Town Clerk, Judy Gravino, would not be attending the annual meeting of the Association of Towns in New York City this year. Therefore, Town Clerk Lynne Green found that Williamson Town Clerk Marlene Gulick will be attending and is willing to represent Palmyra at the Legislative Meeting there.

**MTN: APPOINT
WILLIAMSON
TOWN CLERK TO
REPRESENT
PALMYRA AT
AOT
CONFERENCE**

Councilman Dave Nussbaumer made the motion to have Marlene Gulick represent Palmyra at the Association of Towns Annual Meeting.

Second: Mike Lambrix Vote: 5 Ayes. Carried.

**MTN: ACCEPT
MRB GROUP'S
PROPOSAL FOR
PRELIMINARY
INFORMATION--
ROUTE 31 EAST
SEWER
DISTRICT**

4. Route 31 East Sewer District--Evaluation Proposal: The Town has received a letter from MRB Engineering Group in which they submit a cost of evaluating "a potential sanitary sewer project in the Route 31 East area for about \$5,700." Councilman Mike Lambrix made the motion to accept MRB Group's proposal to prepare the preliminary engineering report, funding information, and present this at the public informational meeting for the proposed Route 31 East Sewer District, not to exceed \$5,700.

Second: Ken Miller Vote: 5 Ayes. Carried.

**MTN: ACCEPT
2007 FINANCIAL
REPORTS FROM
TOWN CLERK'S
OFFICE AND
TOWN JUSTICES**

5. Audit of Financial Books for Town Clerk and Justices: At 8:32 p.m., Town Board members took the time to look over the financial books from 2007 for the Town Clerk's office, and those of Justices Bill Abbott and Terry Rodman. The Supervisor's office's financial books were not available at this meeting, and will be available for inspection at the February 28, 2008 town board meeting. At 8:38 p.m., the meeting reconvened. Ken Miller made the motion to accept the 2007 financial reports from the Town Clerk's offices and from Justices Abbott and Rodman.

Second: Mike Lambrix Vote: 5 Ayes. Carried.

**MTN: APPROVE
ABSTRACT #142**

6. Approve Abstract #142: Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #142 (for vouchers already paid and for vouchers to be paid) which includes Voucher Numbers 8837 through 8943 for \$154,072.72.

Second: Mike Lambrix Vote: 5 Ayes. Carried.

**MTN: ADJOURN
MEETING**

7. Motion to Adjourn: At 8:41 p.m., Dave Nussbaumer made the motion to adjourn the meeting.

Second: Ken Miller Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

**NEXT TOWN BOARD MEETING: THURSDAY, FEBRUARY 28, 2007,
7:30 P.M., PALMYRA TOWN HALL**