

PUBLIC HEARING
PART 2
SMALL CITIES GRANT APPLICATION

The public hearing scheduled to be held on Thursday, February 12, 1998 at the Town Office, 201 East Main Street, Palmyra, NY, to discuss part 2 of the Small Cities Grant Application was called to order at 7:30 PM by Town Supervisor David C. Lyon.

PUB HRG
SMALL CITIES
GRANT APPLIC.
PART 2

Supervisor Lyon waived the reading of the legal notice as published in the Courier-Journal.

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

- Gary LaBerge David Koeberle
- Nelson F. Cook, Highway Superintendent

Supervisor Lyon explained that the town would like to have this grant money to help pay for the proposed sewer district on Rt. 21 S. He asked if there were any comments or questions regarding same.

Gary LaBerge stated that he was encouraged by this project because he feels a sewer district would encourage new businesses and maybe he could increase the size of his own business.

Supervisor Lyon again asked for any comments or questions. There being none, he declared this public hearing closed at 7:35 PM.

PUB HRG
CLOSED

PUBLIC HEARING
Proposed Local Law #1 of 1998 entitled
"A Local Law Amending the Zoning Map of the
Town of Palmyra to Create a Industrial District"

PUB Hffi.G
IDCAL IAW #1

The public hearing scheduled to be held on Thursday, February 12, 1998, at the Town Office, 201 East Main Street, Palmyra, NY, to consider proposed Local Law #1 of 1998 entitled "A Local Law Amending the Zoning Map of the Town of Palmyra to Create a Industrial District" was called to order at 7:45 PM by Town Supervisor David Lyon.

CALL TO ORDER

Those present at this public hearing, in addition

to the Town Board members included:

Gary LaBerge	Kenneth Schade
Gladys Henning	Bob Henning
Patti Diaz	Edward Diaz
James Winston	Fran Rush
David Koeberle	David Dzinbal
Nelson Cook, Highway Superintendent	

Supervisor Lyon directed the Town Clerk, Beverly E. Hickman, to read the legal notice as published in the Courier-Journal.

Supervisor Lyon then asked for any comments or questions regarding this proposed local law.

Gary LaBerge - Definitely in favor of this.

Patti Diaz - Increased development means increased traffic; increased traffic could mean more laws; we would lose our "country" atmosphere.

Supervisor Lyon - The traffic generated by this would probably be to and from the thruway; since this is proposed to be past the residential area this should not be a problem. (This is why the Master Plan identified this area as industrial.)

Fran Rush - Is there a immediate request for this land to be developed or is it way into the future?

Supervisor Lyon - There is a plan in the works for about 8 acres.

James Winston - I have been out there for several years and it is supposed to be residential - we cannot get help with the ground water problem and now we are talking about sewer and a industrial park - we don't need these things.

Patti Diaz - We can't get a cop out there now and the speeds are awful with more traffic - this will raise our taxes and add more of a burden on the families out there - the village has the advantage over us because there is no place to put a industrial park.

James Winston - I for one, do not wa t it rezoned; the map is fine like it is. Supervisor Lyon - The master plan has already rezoned that area, we

just have to make the maps legal.

Fran Rush - Is the industrial park why we are looking at a sewer district? Supervisor Lyon - It is part of it; the only way a sewer district can be done is to have it along with the industrial district project.

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

PUB HRG
CLOSED

PUBLIC HEARING
PROPOSED EXT. #3 TO THE CENTRAL WATER DISTRICT

The public hearing scheduled to be held on Thursday, February 12, 1998 at the Town Office, 201 E. Main Street, Palmyra, NY, to consider the Proposed Extension #3 to the Central Water District was called to order at 8:10 PM by Town Supervisor David C. Lyon.

PUB HRG
CWO EXT #3

Those present, in addition to the Town Board members were the same as the previous public hearing.

CALL TO ORDE

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

M'N TO WAIVE
LEGAL NCYI'ICE
READING

Seconded by: Michael Lambrix Carried: Unanimously

M'N CARRIED

Supervisor Lyon explained to those present that this was necessary in order for the Town to have a water tower in that area. He asked if there were any more comments or questions. There being none, he declared this public hearing closed at 8:12 PM.

PUB HRG CLOSI

PUBLIC HEARING ESTABLISHMENT OF
SEWER DISTRICT #1
OF THE TOWN OF PALMYRA

The public hearing scheduled to be held on Thursday, February 12, 1998 at the Town Office, 201 E.

PUB HRG
ESTABL. of
SEWER DIST #J

CALL TO ORDER

Main Street, Palmyra, NY, to consider the Establishment of Sewer District #1 of the Town of Palmyra, was called to order at 8:15 PM by Town Supervisor David C. Lyon.

Those present, in addition to the Town Board members, were the same as the two previous hearings.

LEGAL NOTICE
READ

Supervisor Lyon directed the Town Clerk, Beverly Hickman, to read the legal notice as published in the Courier-Journal.

James Winston - I do not want this.

Patti Diaz - What about hooking into this sewer system; is this a one-time charge and how much is it going to be? Supervisor Lyon - It is a one-time charge to actually hook into the sewer system, but, your taxes will show a sewer tax for as many years as it takes to pay for the line; the hook-up fee has not yet been determined. Robert Grier, Code Enforcement Officer, told her that the village charges \$1500, if that gave her an idea of the price range.

David Dzinbal - Does the charge go by how far away from the line you are and will it be mandatory that you hook up? Supervisor Lyon - What you pay a private contractor to hook in usually goes by how far away from the connection that you live; it will not be mandatory that you hook up, however, if you are in the district, you will pay a sewer tax whether or not you are hooked up.

A discussion of the petition that circulated followed. Many of those present insisted that they signed the petition only because they thought it meant the possibility of a sewer district was going to be looked into and then they (the residents) would decide if they really wanted it or not.

Lynne Green, Town Board Member - This was all brought about by people that want this to happen because they are having a septic problem; also a

sewer district could encourage a industrial area which would increase the tax base and lower our tax rates.

Robert Grier explained that this sewer line will not run along the road on Rt. 21, but will go in back of the residences on the east side of the road. Gladys Henning asked if he meant in back of her property and Mr. Grier said yes.

Patti Diaz - Does the Town re-assess property because you are in a sewer district? Supervisor Lyon - The assessor does not follow projects around; when the neighboring houses sell for a higher price your property values will go up eventually.

Bob Henning - How many "yes's" before the other side of the road is included? Supervisor Lyon - when we receive a petition requesting a sewer line we will look into the possibility.

James Winston - If another petition is circulated and, for instance, 51 out of 100 people do not want this, could it be stopped? Supervisor Lyon - Possibly; but you have to remember that the whole idea is connected to a industrial area out there.

Patti Diaz - Our property values will decrease because of a industrial park whether we have a sewer district or not.

David Dzinbal - Along with industry comes a larger tax base to help keep *my* taxes down - With the possibility of growing industries out my way, why can't I be included in the sewer line too? Supervisor Lyon - The funding is only available because of the industrial park; not because of private residents that may want to be included.

Bob Henning - How soon will we know what is going to happen with this project? Supervisor Lyon - We will probable discuss this again and make a decision at the next board meeting which will be held on

Thursday, February 26, 1998.

PUB HRG
a..oSED FOR
RECESS

Supervisor Lyon then asked if there were any new comments or questions and there being none he declared this public hearing closed at 9:10 PM and called for a fifteen minute recess.

REGULAR TOWN BOARD MEETING

CALL TO ORDER

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, Feb. 12, 1998 at the Town Office, 201 East Main Street, Palmyra, was called to order at 9:10 PM by Town Supervisor David C. Lyon.

PLEDGE OF ALLEGIANCE

Supervisor Lyon led those present in the Pledge of Allegiance.

ROLL CALL

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

- 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 (Everyone else left during the recess; immediately following the public hearings.)

MIN TO APRV
JAN 6, 1998
MINUTES

David Nussbaumer moved to approve the minutes of the January 6, 1998 Organizational Meeting of the Town Board, as submitted.

MIN CARRIED

Seconded by: Michael Lambrix Carried: 4 Ayes (Lynne Green - Abstained)

COMMUNICATIONS

DEPT OF HUD
INFO MTG NOTICE

1. U.S. Department of Housing & Urban Development - Notice of informational meeting for the purpose of briefing potential applicants for the combined Fiscal Year 1997 /1998
2. NYS Department of Transportation - RE: Water Ext. #3 to CWO - concurs with designation of Town Board as lead agency
3. NYS Department of Transportation - RE: Application of the Town of Palmyra to create an Industrial Zoning the south line of the Town of Palmyra on RT 21 in Wayne County - concurs with the designation of the Palmyra Town Board as lead agency

NYS OOT RE:
CWD EXT #3

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

No report at this time.

ASSESSMT COM-
REPORT

Highway Committee - David Nussbaumer, Chairman

1. Authorize advertising for bids on snow plow equipment

HWY COM RPRT

David Nussbaumer moved to authorize advertising for bids on snow plow equipment as needed by the highway department.

MTN TO AUTH
BIDS ON
SNOOPI.OO EQUIP

Seconded by: Michael Lambrix Carried: Unanimously

MIN CARRIED

Planning Committee - James Welch, Chairman

1. Code Enforcement Officer Update

PLANNING COM.
REPORT'

Robert Grier, Code Enforcement Officer, reported the following to the board:

CEO UPDATE

- 1- Trolley Road Junkyard property - Mr. Carrier's brothers and friends are still using the property as a junkyard
- 2- Fee Schedule - Needs to have some adjustments made in the amounts
- 3- Property Nuisance Abatement Law - Needs some serious consideration - Committee will review and make improvements in wording
- 4- Boerman's Insurance had purchased the Herman's Appliance property
- 5- Family Dollar Store is going in the Big M building
- 6- Champion's Gym property has been sold and is going to be turned into offices
- 7- Settler's Post is moving to his residence on Goldsmith Road
- 8- Unterborns are opening a Bed & Breakfast on the corner of W. Main St. and Liberty Street
- 9- There will be a push on unlicensed vehicles after may 1st
- 10- Change his office hours from 9 - 5 to 8 - 4
- 11- Software (working with Cathy Contant on this)
- 12- Working on the combining of the Town & Village Planning & Zoning Boards - He feels the Chairman of the Planning Board (key position) should be a paid position
- 13- Zoning & Building office should be included in all events
- 14- Petitions have been signed and given to the Village Clerk for a vote on the combining of the Village and Town Courts
- 15- Crestwood Drive - Who owns it? A decision needs to be made. (Dave Lyon will work on this matter with Paul Rubery.)

Michael Lambrix and James Welch will work with Robert Grier on the combining of the Planning and Zoning Boards.

Zoning Committee - Michael Lambrix, Chairman

ZONING COM
REPORT'

No report at this time.

AGENDA ITEMS

1. Appoint Records Advisory Board

MI'N TO CREATE RECORDS ADVISORY BOARD

Michael Lambrix moved to appoint Lynne Green, Becky Rernmington and Robert Lowe to the newly created Records Advisory Board.

MI'N CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

2. WCW&SA

a) Town fee added to application?

MTN TO NOT HAVE TOWN FEE ADDED TO W:WSA APPS

Michael Lambrix moved to NOT have a Town fee added to the water application from the WCW&SA.

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

b) Refund deposit to canal property owners?

MI'N TO APRV REFUNDING CANAL PROP OWNRS \$100 DEP.

Michael Lambrix moved to approve refunding the canal property owners their original \$100.00 deposit.

Seconded by: James Welch Carried: Unanimously

MTN CARRIED

3. Bingo Inspector

BINGO INSP.

Supervisor Lyon said that we need to be getting this done before we get into trouble with the State. Robert Grier will check with a person that was suggested to him for this duty.

4. Electrical work at the Town Office

MI'N TO REPAIR ELEX:T. PRBI.MS AT TN OFFICE

Robert Grier explained to the board the problems we have been having with the electrical lines in the Town Office. Michael Larnbrix moved to have the electrical problems repaired in the Town Office at a cost not to exceed \$475.00.

MI'N CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

5. Agreement to assign Water Contract with the Village of Palmyra to WCW&SA

MI'N TO APRV ASSGNMT OF WTR CTRCT W/ VOP TO W:WSA

David Nussbaumer moved to approve assigning the Water Contract with the Village of Palmyra to the Wayne County Water & Sewer Authority.

MTN CARRIED

Seconded by: James Welch Carried: Unanimously

6. Small Cities Grant Application - Subject of Public Hearing

SMALL CITIES

GRANT APPL... MI'N FOR NARICE OF AVAILABILITY

Supervisor Lyon moved the following Notice of Availability: The Town of Palmyra intends to submit an application under the Fiscal 1997/1998 Small Cities Community Development Block Grant (CDBG)

Program to request funding to assist the Paul T. Freund Corporation, a local box manufacturing company, to build a new plant in the Town and to help maintain the economic stability of the Palmyra area and Wayne County. Funding is needed to extend sewer services to the proposed development site and to subsidize the financing for the new plant.

In accordance with Federal regulations for the Small Cities CDBG Program, the Town of Palmyra has prepared an Abbreviated Consolidation Plan. The Consolidated Plan, which addresses the proposed economic project, includes a description of the need, planned activities, resources and other required information.

The Abbreviated Consolidated Plan is available for review and comment at the Town Clerk's Office during normal business hours. The Plan will be available for review through Friday, march 20, 1998 and written comments will be accepted at the Town Hall until the close of business that day.

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

- 7. Proposed Ext. #3 to the Central Water District - Subject of Public Hearing

The following resolution was moved by Michael Lambrix:

MTN RE: CWO
EXT #3

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 February 12, 1998, at 8:00 PM on the matter of the Establishment of Extension No. 3 to the Central 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 Central 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 January 19, 1998, 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 Central 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 February 12, 1998, at 8:00 PM at the Town Clerk's Office, 201 East Main Street Palmyra, NY 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 February 12, 1998, 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. 3 of the Central Water District in the Town of Palmyra and shall be bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate on the north side of North Creek Road in the Town of Palmyra, County of Wayne and State of New York, bounded and described as follows:

COMMENCING at the intersection of the north line of the Central Water District with the east line of premises now owned by Daniel Pedtke and Mary Bolton, bearing tax account no. 33111-00-556901; thence 1) northerly along the east line of said parcel to the northeast corner of said parcel; thence 2) westerly along the north line of said parcel and parcel with tax map no. 33111-00-501913 and parcel with tax map no. 33111-00-446963, to the northwest corner of said parcel bearing tax map no. 33111-00-446963; thence 3) southerly along the west line of the last aforesaid tax parcel to its intersection with the north line of the Central Water District; thence 4) easterly along the north line of the Central Water District to the point and place of beginning.

IT IS FURTHER RESOLVED, that 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; and

IT IS FURTHER RESOLVED, that the improvements servicing the area having been installed by the

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—

Central Water District, the properties in Extension No. 3 of the Central Water District shall pay any and all charges with the same ad valorem rates as in the Central Water District, together with the same fees for connection, hookup, use of water and maintenance of the system; and

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 RESOLVEDJ 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.

MTN CARRIED

Seconded by: David Nussbaumer Carried: Unanimously

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

MTN TO ADJRN

MTN CARRIED

Seconded by: Michael Lambrix Carried: Unanimously

, R;;spectfully s bmitted:

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Bever! E ckman
Town C erk