

PUBLIC HEARING
EAST PALMYRA FIRE CONTRACT
FOR FISCAL YEAR 2000

The public hearing scheduled to be held on Thursday, October 28, 1999 at the East Palmyra Fire Hall, East Palmyra, to consider increasing the amount of the contract between the Town of Palmyra, Wayne County, New York and the East Palmyra Fire Department for furnishing fire protection to the East Palmyra area of the Town of Palmyra was called to order at 8:00 PM by Town Supervisor David C. Lyon.

Those present at this public hearing included:

Ann & Harlan Tyler	4961 Tellier Road, Newark
Elizabeth DeWitt	4704 Tellier Road, Newark
James Elliott	403 Vienna Street, Palmyra
Robert K. Jagger	4193 Hogback Hill Road, Palmyra
Gordon L. Butler	2880 Macedon Cntr Rd #37
Ralph Trask	2336 Hazen Lane, Newark
John Pieters, Fire Chief,	East Palmyra Fire Department
Casey MaGee,	East Palmyra Fire Department
William Guinup,	East Palmyra Fire Department
Lloyd & Joan Knapp,	East Palmyra Fire Department
Frank & Nora Jane Gorall,	East Palmyra Fire Department
Roy Wilck,	East Palmyra Fire Department
Allyn V. Cator,	East Palmyra Fire Department
Sue Hartman,	East Palmyra Fire Department
Sylvia Huff	2799 Lyon Road, Marion
? ?	4094 Lusk Road, Palmyra
Dick Loucks	4007 Luck Road, Palmyra
Bob Canham	4100 Lusk Road, Palmyra
Rose & Robert Ranney	2289 Harris Road, Palmyra
James F. Melhan	2 Brookline Ave., Victor, NY
Wendy & James Miller	31 Catherine St., Lyons, NY
Tammy Hartnagel	4141 Ridge Chapel Rd., Marion
Murrie Spencer	4057 Ridge Chapel Rd., Marion
Hazel Washburn	31 Catherine St., Lyons, NY
Brenda Ridley	163 Willow Avenue
Jean & Stan Starkenburg	4265 North Creek Road
Kirk Cowell	4493 North Creek Rd., Palmyra
Wendi Rockefeller	4151 North Creek Rd., Palmyra
Craig Watkins	4151 North Creek Rd., Palmyra
Marlene VanderBeek	2266 Harris Rd., Palmyra
Walter VanderBeek	2266 Harris Rd., Palmyra
M. W. Waite	3 Pleasant St., Clifton Springs
Terri Covney	4449 North Creek Road
? ?	4449 North Creek Road
Dan Gardner, President,	East Palmyra Fire Department
Tim Smith,	East Palmyra Fire Department
Carolyn Grasso	2873 Rt. 21, Palmyra
Marvin D. Garland	1321 Hammond Road
James Milliman,	East Palmyra Fire Department
Aaron Johnston,	Johnston's RV Center, Palmyra

Robert LaRose, Johnston's RV Center, Palmyra
Shirley & Edwin Hand 2095 Harris Rd., Palmyra
David & Michelle Durfee 4233 North Creek Road
Alan ? , Harrison Homes, Inc., Pittsford
Robert Seeley, Engineer for Miller
Jane West, The Times
Julie Philipp, Daily Messenger
Nelson F. Cook, Highway Superintendent
Bob Grier, Code Enforcement Officer

Supervisor Lyon asked for any comments concerning this possible increase in contract amounts.

John Pieters, Chief of the East Palmyra Fire Department, told those present that the department would like to have a three year contract with increases of 10%, 12% and 14% inclusive.

Roy Wilck, Firefighter, stated that he has spent six Saturdays this year working on fund raisers and there are only a certain few that help to do this. However, there are 250 people ready to call 911 when they need help and they are only paying a small fire tax. He said he personally would not care if the fire tax were doubled. He feels that the time spent on fund raising could be put to better use by spending that time on training.

Dan Gardner, President of the East Palmyra Fire Department, said that the fire tax is a small price to pay for the protection the people get. They are now handling medical calls as well as fire calls and the training for the medical people and the supplies is an additional expense for the department. He does not feel that the taxpayers would mind an increase in the fire tax. He feels that a lot is being asked of the members and that members are beginning to drop out because of this.

Frank Gorall, oldest firefighter in service, said that he seems to be spending more and more time at the fire hall working on the fund raisers. He said they have to have the fund raisers or they will go under; therefore, any help will be appreciated.

Sue Hartman, medical squad, agrees with

what everyone has said and being on the rescue squad sees a increase of rescue calls. You need to have the right equipment to help your people and therefore, does not feel a increase in rates would be out of line.

Casey McGee – He is both a line firefighter and on the rescue squad – There is a need for more training and that causes more expense. He would very much appreciate a increase.

Doris Wolf, Courier-Journal, asked how much the annual budget is. John Pieters, Fire Chief, told her it is around \$45,000.00

Supervisor Lyon asked for any more comments or questions. There being none, he declared this public hearing closed at 8:15 PM.

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PUBLIC HEARING
PORT GIBSON FIRE CONTRACT
FOR THE YEAR 2000

The public hearing scheduled to be held on Thursday, October 28, 1999 at the East Palmyra Fire Hall, East Palmyra, to consider the contract between the Town of Palmyra and the Port Gibson Fire Department for furnishing fire protection to a portion of the Town of Palmyra for the fiscal year 2000 was called to order at 8:15 PM by Town Supervisor David C. Lyon.

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

Supervisor Lyon asked if a representative from the Port Gibson Fire Department was in attendance. There was no one. Supervisor Lyon asked for any comments or questions regarding

this contract. There were none. Supervisor Lyon declared this public hearing closed at 8:17 PM.

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PUBLIC HEARING
JAMES MILLER
PROPOSED CAMP GROUNDS

The public hearing scheduled to be held on Thursday, October 28, 1999 at the East Palmyra Fire Hall, East Palmyra, to consider the application of James R. Miller, 31 Catherine Street, Lyons, NY, to operate a camp ground with approximately 50 camp sites on property located at 4227 North Creek Road, Palmyra, was called to order at 8:30 PM by Town Supervisor David C. Lyon.

Those in attendance were the same as the first public hearing this evening.

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

Supervisor Lyon asked Mr. Miller to describe what he would like to do. Mr. Miller stated that his idea is to have campsites plus preserving green sites. He has about 51 acres of which maybe 8 acres could be plowed if it was cleared. He believes this is a good use for his property and it would also be good for the community. He feels the entrance might be a problem so he is going to change the location of same. He plans on good sized area for each site and he does not want RV's in there; only tents and pop-ups. The state has told him that he has room for 666 sites but he does not want that big of a camp ground.

Supervisor Lyon then asked for comments or questions from those present. Sue Hartman said that this is a gorgeous

area but she has some concerns: 1. - Noise; this is a valley and it does echo 2. Traffic; the roads will have to be maintained better due to the increased traffic. 3. Litter; The fishing and canoeing will draw people. Along with fishing comes litter and that can be a problem. There are already tires full of water, appliances have been dumped; this is probably the biggest problem. She has already had a big vet bill due to the dumping. Supervisor Lyon commented that traffic and litter is a big problem all over the town and we can not expect these people to be responsible for it.

Supervisor Lyon asked Mr. Miller to address the noise issue. Mr. Miller said that he does not want a big party place out there. He said that his own house will be on the front 4 acres and he can hear enough motorcycles, trains and parties from the Bridge Pub area.

Stan Starckenburg stated that you cannot preserve green space by putting 200 people in a small area. He said there will be a decrease in wildlife in the area and the campfires will create smoke. A lot of people adjoin this property and a lot of us like to hike. Mr. Miller – as far as pollution, there will be campfires; the swamp area is protected by the DEC; wildlife may be lost due to harvesting of lumber; as for hikers trespassing, a fence will be provided along the property and the guests will be advised not to go over said fence.

Mr. Miller stated that the first year he would like to have 20 camp sites, and then if successful another 20 the second year with the final 10 the third year.

Robert Grier, CEO, told Mr. Miller that if approval is given on this project, a SEQR will be necessary before going to the Planning Board.

Curt Cowell said that he has the same concerns as everybody else but the driveway will scare him no matter where it is placed. He is also concerned about the septic and the waste water. Mr. Miller – The septic system will be put in according to the guidelines of the Town of Palmyra and as for the roadway, the site distance is a requirement of the state.

Rose Ranny – The drainage ditch along the property; if that is closed up her property will be flooded. A beaver dam is holding water up right now. Miller – as for the drainage ditch, that is were property got it's name "Brook Valley." He stated that there are actually three dams there and he believes that opening up the ditch will help.

Bob Hannah – Built his retirement home out there to enjoy watching the birds and turkeys; does not seem like they will stay around with all these extra people added to the landscape. He is worried about the noise. Are you going to allow alcohol out there? Miller – Has not addressed alcohol that at this point; will probably let the attorneys and lawyers decide that.

Wendi Rockefeller - Has a number of concerns; noise is a problem (we will be subjected to listening to this year round); fires and smoke; will lose the peaceful setting of the county; and adding campsites will drive wildlife away.

Greg Watkins – 50 cars per day will upset my dogs; increased shots heard by the RR already; camping will pull in skunks and raccoons, etc.; litter and people all over my property; increased accidents; 3 houses have been added to the road in the last year; has a lot of concerns about this project.

Dan Gardner – He has a similar project about 8 years ago; definitely needed in our area; the Millers seem like nice people; you could be inviting the wrong kind of use if you stop this use.

Michelle Durfee – Has already heard people walking up and down the road at 3:30 AM and campers have teenagers; there will be a lot more cars.

At this time the following letter from Jack Haight was read into these minutes:

October 27, 1999

Board of Supervisors
Town of Palmyra
E. Main Street
Palmyra, NY 14522

To the Town Board:

First I would like to explain that if I had been notified in time, I would have been at this meeting. However I have a meeting that I scheduled with five organizations that I cannot back out of at this late date. I found out about this meeting on Monday, October 25, 1999 and verified it with the Town Clerk yesterday. I live about 200 yards from the land that the owner is seeking a variance for a campground. I had to hear about the meeting from a friend that was notified on Route 21. **I guess that I live too far away.** How many more of my neighbors have not been notified?

I want to say that I am very much against having a campground just over the next hill. Twenty-five years ago I left Inner City Rochester to have piece and quiet. I liked my location here as I could pick up my shotgun and walk across the road and up Hand's hill or go back of my house and go deer hunting. Those days are now a thing of the past. Bit by bit new houses have built were I once could hunt. And now you are considering a campground. **What about the roads and the possible pollution of our wells?** Remember, you "would not have water run up our road as there are not enough houses." I have camped at campgrounds many times and they usually have bands on Friday and Saturday nights. There goes my piece and quiet. And a business right around the corner. It is starting to sound a lot like down town Rochester.

I really don't believe this letter will affect the Boards decision. After all, one of the Family of a board member has been logging the land all summer and fall.

A resident of Harris Road and concerned citizen,
Jack L. Haight Jr.

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

Robert Grier, ZEO
T. Palmyra
201 East main Street
Palmyra, New York 14522

Re: Brook Valley Campsite
4227 North Creek Road
Tax Map Ref. No: 34112-00-035480

Dear Bob:

At its regular meeting on September 29, 1999 the Wayne county Planning Board reviewed the above referenced referral and recommended Denial of the request for a special permit as the board wanted more site plan information. The board was very concerned about the apparent lack of site distance available at the current road cut. The board wondered if there is potential to access the parcel from another area that would offer greater site distances. The board also wanted clarification regarding the utilities. Will every site have water and electric "hook up"? The board felt if site-wide utilities are proposed, the referral would best be handled as a permanent use variance rather than a renewable special permit.

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

Sincerely,
Bret DeRoo
Sr. Planner

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

Excerpt from the Town of Palmyra Planning Board minutes of October 11, 1999:

Item # 1: Miller; North Creek Road Campsite.

L. Edinger asked Mr. Miller to explain his proposal. Mr. Miller stated that he wanted to build a camping facility, with 55 sites, for tents and pop-up campers. There won't be any facilities for RV's. There will not be electric at all sites, water stations through out the area and one bathhouse facility. The campsites will be located on 51 acres of land. The site will be open from the beginning of May thru October. L. Kaller asked if the existing driveway would be used or would it be moved? Mr. Miller said that he would like to keep using the existing driveway because he would have to cross a creek if it were moved. He thought that the site distance was at least 500' and that the driveway has been used for years and there has never been a problem.

MOTION: B. Baker made a motion to recommend approval of the Special Permit for a Camp Site at 4227 North Creek Road with the stipulation that if the Town Board grant the Special Permit. Mr. Miller returns to the Planning Board, with detailed

site plan prepared by an engineer licensed land surveyor, for final site plan approval.

2nd: K. Miller

VOTE: Unanimous

Mr. Miller said that the driveway will definitely be changed.

Supervisor Lyon asked for any more comments or question regarding this proposed campsite. There being none, he declared this public hearing closed at 9:15 PM.

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PUBLIC HEARING
JOHNSTON'S RV CENTER
SPECIAL USE PERMIT

The public hearing scheduled to be held on Thursday, October 28, 1999 at the East Palmyra Fire Hall, East Palmyra, to consider the application of Gary Johnston's RV Center, Inc., 2311 Rt. 21 N., Palmyra, to modify the Special Use Permit granted to them by said Town Board on May14, 1998, was called to order at 9:16 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 Aaron Johnston to explain to the board what he wants to do. Mr. Johnston gave the board members a modification chart with the present conditions in one column and the modification in the second column. He went over each of these modifications individually.

Robert Grier, CEO, noted that the new print shows 500 RVs. Mr. Johnston said that he cannot show permanent parking at this time. He said phase 1 has a maximum of 140 vehicles; phase 2 shows more and then phase 3 brings will take it to 500. He is trying to get away from the cramping problems he already

has out there. (The 500 indicates a variety of types of campers from tent campers to RVs)

Pete Holden – log home 250’ off this property. He stated that Mr. Johnston and he knew the responsibility of being good neighbors. Does not anticipate any problems that cannot be worked out.

Michael Lambrix stated that he has walked this property and has seen other properties like this. He has a lot of confidence in Mr. Johnston and the way he has tastefully placed the burms. Things are not flashing at the public when you come down Rt. 31.

Robert Grier stated that increasing the driveway to 24’ may need approval of the state.

Robert Grier had some questions to ask. Supervisor Lyon told him that was the type of thing that could be worked out in committee.

Supervisor Lyon then asked if there were any more comments or questions. There being none, he declared this public hearing closed at 9:55 PM.

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REGULAR TOWN BOARD MEETING

CALL TO ORDER

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, October 28, 1999, at the East Palmyra Fire Hall, Palmyra, was called to order 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 board members were present:

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

MTN TO APPV
MINUTES OF
09/23/99

David Nussbaumer moved to approve the minutes of the
September 23, 1999 Town Board Meeting as submitted.

Seconded by: Michael Lambrix Carried: Unanimously

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

1. Assessor Update

ASSESSOR
UPDATE

No report at this time.

Highway Committee - David Nussbaumer, Chairman

1. Highway Superintendent Update

Nelson Cook, Highway Superintendent, reported that nine
invitations to bid on a 1999 heavy-duty dump body were sent
out. Only two bids were received;

RPT ON HEAVY
DUTY DUMP
BODY BIDS

Thiele's bid was for \$16,320.00

Tracy Road Equipment's bid was for \$14,450.00

Mr. Cook recommended the lowest bid after comparing same.

David Nussbaumer moved to award the bid on the 1999 heavy-
duty dump body to Tracy Road Equipment in a amount not to
exceed \$14,450.00.

MTN TO AWARD
BID ON DUMP
BODY

Seconded by: Michael Lambrix Carried: Unanimously

2. Hiring of Toby Scheetz - \$10.02 per hour

David Nussbaumer moved to authorize the hiring of Toby
Scheetz for employment at the Town Highway Department at a
rate of \$10.02 per hour..

MTN TO APV
HIRING OF TOBY

Seconded by: Michael Lambrix Carried: Unanimously

Planning Committee - James Welch, Chairman

No report at this time.

Zoning Committee - Michael Lambrix, Chairman

1. CEO Update

CEO UPDATE

Robert Grier, CEO, reported that he has spent a lot of time
inspecting the proposed Temple Road; he has issued 13 C of

O's; Carrier has been working on the tires on the Trolley Road property and is having some trouble getting some of them out of the dirt – he would like more time if it is possible. David Nussbaumer moved to extend Kevin Carrier's time to clear out tires at the Trolley Road property by one week with the same conditions.

Seconded by: Michael Lambrix

Discussion: Lynne Green asked if Carrier had been living up to the conditions and Grier told her he has been.

Carried: Unanimously

2. Budget Adjustment

Michael Lambrix moved to approve the following budget adjustment:

<u>FROM</u>	<u>TO</u>
CEO/Contractual Exp - Fuel B8015.411 \$ 117.89	CEO/Contractual Exp – Telephone B8015.403 \$ 117.89

Seconded by David Nussbaumer Carried: Unanimously

3. James Miller – Special Use – Campgrounds on North Creek Road (Subject of public hearing)

Michael Lambrix moved to table the special use for

James Miller pending time for the board to go over the information provided them.

Seconded by: David Nussbaumer Carried: Unanimously

4. Johnston's RV Center (Subject of public hearing)

Michael Lambrix moved to table a decision regarding Johnston's RV Center until conditions can be set forth by the committee.

Seconded by: Lynne Green Carried: Unanimously

AGENDA ITEMS

1. Change order for water storage tank

MTN TO ENTND
CARRIER'S TIME
BY ONE WEEK

MTN TO APV
BUDGET
ADJUSTMENTS

MTN TO TABLE
SPEC USE FOR
JAMES MILLER
CAMPGROUNDS

MTN TO TABLE
DECISION RE:
JOHNSTON'S RV
CENTER

Michael Lambrix moved to approve the change order for the water storage tank per request by the NYS Department of Health regarding the intake riser pipe project no. 160057.

Seconded by; David Nussbaumer Carried:

Unanimously

- 2. Application for scholarship grant for attendance at NYSTCA conference in April

MTN TO APV
CHANGE ORDER
FOR WATER
ST9ORAGE TANK
REQUESTED BY
NYS DEPT OF
HEALTH

Lynne Green moved to authorize the scholarship grant for attendance at the NYSTCA conference in April and for the Town of Palmyra to match the amount of the grant; if the grant is not approved the Town will fund the whole project.

Seconded by: David Nussbaumer Carried: Unanimously

- 3. Budget Adjustment

Supervisor Lyon moved to approve the following budget adjustments:

MTN TO AUTH
SCHOLARSHIP
GRANT FOR
NYSTCA CONF IN
APRIL

FROM	TO
Contingency Account A1990.4 \$1,525.22	Town Board – Cont. Exp A1010.4 \$1,525.22
Justices – Equipment A1110.2 \$ 253.87	Justices – Cont. Exp A1110.4 \$ 253.87
Contingency Account A1990.4 \$ 524.52	Justices – Cont. Exp A1110.4 \$ 524.52
Budget Increases – Sara Grant A3060. \$1,999.00	Sara Grant Prsnl Svs A1460.1 \$1,990.00
Star Funds A3040. A3040. \$ 935.65	Assessor Equmnt Starl A1355.201 \$ 870.65
	Assessor Cont Exp – Str A1355.401 \$ 65.00
Revenues – Registrar Fees B1603. \$ 145.00	Registrar of Vital Sta B4020.1 \$ 145.00

MTN TO APV
BUIDGET
ADJUSTMENT

Seconded by: James Welch Carried: Unanimously

- 4. East Palmyra Fire Contract (Subject of Public Hearing)

Michael Lambrix moved to approve a three year contract between the Town of Palmyra and the East Palmyra Fire

MTN TO APV 3 YR
CONTRACT W/TN
OF PAL AND EAST
PAL FIRE DEPT

Department, Inc. beginning January 1, 2000 with increases of 8% in 2000; 10% in 2001 and 12% in 2002.

Seconded by: David Nussbaumer

Per roll call vote:

Lynne Green – Aye
 David Nussbaumer – Aye
 Michael Lambrix – Aye
 James Welch – Aye
 Supervisor Lyon – Abstained Carried

MTN TO APV
 FIRE CONTRACT
 TN OF PAL W/
 PT GIBSON FIRE
 DEPARTMENT

5. Pt. Gibson Fire Contract (Subject to Public Hearing)

David Nussbaumer moved to approve the contract for fire protection for a area of the Town of Palmyra with the Pt. Gibson Fire Department for a period of two years and with a \$500.00 increase each year.

Seconded by: Michael Lambrix Carried: Unanimously

MTN TO APV
 JPROJECT ENG
 FEES, GRANT
 COST FEES AND
 MRB FEES

6. Short form agreement with MRB Group

David Nussbaumer moved to approve \$850,000 project engineers, grant cost of \$130,000.00 and \$10,000 for MRB.

Seconded by: Lynne Green Carried: Unanimously

MTN TO AUTH
 PAYMENT OF
 VOUCHERS

David Nussbaumer moved to authorize payment of the vouchers submitted for payment on Abstract #10 with totals as follows:

<u>Account</u>	<u>Voucher #</u>	<u>Amount</u>
General Fund	324-363	\$15,455.15
Part Town Fund	166-180	\$ 1,494.35
DA Highway	269-289	\$26,177.11
DB Highway	72-81	\$25,380.55
Water Tank Proj.	18-20	\$74,177.75

Seconded by: Lynne Green Carried: Unanimously

MTN TO ADJRN

Supervisor Lyon reminded the board of the public hearing to be held on November 4, 1999 at 7:30 PM at the Town Office regarding the Budget for calendar year 2000.

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

Seconded by: Lynne Green Carried: Unanimously

Respectfully submitted,

Beverly E. Hickman
 Town Clerk