

**REGULAR TOWN BOARD MEETING**

**PALMYRA TOWN HALL, 1180 CANANDAIGUA ROAD  
MAY 8, 2003  
8:00 PM**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, May 8, 2003, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, was called to order at 8:06 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 board members were present:

Town Board Members: David C. Lyon, Supervisor  
Michael Lambrix, Councilmember  
James Welch, Councilmember  
David Nussbaumer, Councilmember, was absent

ROLL CALL

There were no others present at this meeting.

Motion was made by James Welch to approve the minutes of the April 24, 2003 meeting of the Town Board. Seconded by Ken Miller. Voting was unanimous.

MTN: APPROVE MINUTES OF APRIL 24, 2003 BOARD MTG.

**COMMUNICATIONS**

COMMUNICATIONS

**1. Empire Zone Revisions:**

Letter was received from Lydia Birr, Empire Zone Coordinator for Wayne County, along with a resolution of support and concurrence with the Wayne County Empire Zone Revision Application and the Boundary Revision-2003. This starts designating parcels of land scattered throughout the county to be considered part of the Wayne County Empire Zone. As businesses meet the Empire Zone guidelines, revisions and amendments to the boundaries may be made to include them.

EMPIRE ZONE REVISIONS

**2. Wayne County EMS Week letter and proclamation:**

Letter was received from Bill Liddle, Wayne County's EMS (Emergency Medical Services) Coordinator, stating the National EMS Week will be observed May 18-24, 2003. A

WAYNE COUNTY EMS WEEK

sample proclamation and announcement was enclosed which "recognizes the efforts commitment, and dedication of the EMS providers, including first responders, emergency medical technicians, paramedics, fire fighters, emergency and law enforcement personnel."

### **3. CSX Transportation, Inc. Assessment Revision**

CSX  
TRANSPORTATION  
NOTICE OF  
HEARING FOR  
PROPOSED CLASS  
SETTLEMENT

Letter was received from Wolman, Babitt & King, L.L.P., Counsellors at Law concerning the proposed class settlement and notice of hearing and the proposed stipulation of settlement of defendants' class action for the tax years 2001 and 2002. The railroad is challenging all assessments in New York State and Palmyra is part of their lawsuit. On June 9, 2003, the case goes before the U.S. District Court, Southern District of New York. "CSXT and the named defendants in these consolidated cases have reached a proposed settlement of the matters at issue in this litigation."

### **4. Proclamation of May 4-10 as Water Week in New York State**

DEC  
PROCLAMATION  
OF MAY 4-10  
WATER WEEK

Letter was received from the Department of Environmental Conservation for the State of New York informing us that May 4-10 is Water Week in New York State, and inviting us to celebrate our state's bountiful water resources. It also states that stormwater runoff is a "significant cause of water pollution both nationally and statewide." They offer suggestions to help ease the pollution on the DEC Stormwater Homepage at [www.dec.state.ny.us/website/dow/mainpage.htm](http://www.dec.state.ny.us/website/dow/mainpage.htm).

## **REPORTS OF STANDING COMMITTEES**

### **Buildings and Grounds Committee – Ken Miller, Chairman**

Councilman Miller informed the board that he is working on short-term and long-term goals for the work that needs to be done on the Town Hall. He has met with He will soon draft a new policy proposal for community usage of the Town Hall facilities and submit it for review to the board.

**Highway Committee – Michael Lambrix, Chairman**

No Highway Committee report.

**Planning Committee – James Welch, Chairman**

No Planning Committee report.

**Zoning Committee – David Nussbaumer, Chairman**

Ray's Bridge Pub request for charitable event in June was considered. A motion was made by Michael Lambrix and seconded by James Welch to schedule a Public Hearing for Thursday, May 22, 2003, at 8:00 PM, at the Palmyra Town Hall. Bob Grier, Lynne Green and Betsy Lewis have searched the records of past special use authorizations for several decades, and find nothing in the history of the location—either with the present owner or with past owners—to do this kind of thing. Voting was unanimous.

MTN: SCHEDULE  
PUBLIC  
HEARING FOR  
RAY'S BRIDGE  
PUB SPECIAL  
EVENT  
REQUEST

**AGENDA ITEMS**

**1. Empire Zone Revision Resolution**

Wayne County Empire Zone Coordinator sent a memo to Supervisor Lyon with two resolutions to amend the boundary of the Zone. The first resolution "Resolution of Support and Concurrence" outlines the goals of the Empire Zone. The second resolution is an annual amendment which spreads the Empire Zone land around the county as needed. The number of Zone acres allocated to Wayne County is limited by legislation. As new businesses qualify for the Zone benefits, boundaries can be adjusted.

MTN: EMPIRE  
ZONE RESOL.  
OF SUPPORT &  
CONCURRENCE  
WITH REVISION  
APPLICATION

Motion was made by Michael Lambrix and seconded by James Welch. Voting was unanimous.

**TOWN OF PALMYRA  
RESOLUTION OF SUPPORT AND CONCURRENCE  
WITH THE WAYNE COUNTY EMPIRE ZONE  
REVISION APPLICATION**

WHEREAS, New York State has created the Empire Zone program to encourage industrial and commercial development in selected areas across the State, and

WHEREAS, Wayne County, as an eligible municipality, received designation of an Empire Zone made up of sub-zones including portions of the Village of Newark, and

WHEREAS, under the current designation, Wayne County has the ability to amend the Zone boundaries to allow additional acreage, and

WHEREAS, Wayne County intends to revise the Wayne County Empire Zone boundaries to encourage industrial and commercial development and allow for the creation of an additional sub-zone in the Town of Palmyra (detailed in attached Schedule A- Wayne County Annual Boundary Amendment- 2003), and

WHEREAS, the Town of Palmyra wishes to support and concur with the Empire Zone revision application,

NOW, THEREFORE, be it resolved that the Town of Palmyra Board, in its capacity as governing body of the Town of Palmyra, does hereby support and concur with the Wayne County Empire zone revision application.

Resolution was adopted on May 8, 2003

David C. Lyon  
Supervisor, Town of Palmyra

Lyndall Ann P. Green  
Town Clerk

### **BOUNDARY REVISION**

THIS AGREEMENT made this 8<sup>th</sup> day of May, 2003, by and among the Town of Palmyra, a municipal corporation with offices at 1180 Canandaigua Rd., Palmyra, NY, 14522, (the "Concurring Municipality") and the Wayne County, a municipal corporation with offices at 26 Church Street, Lyons, NY 14489, (the "Applicant" Municipality");

### **WITNESSETH**

WHEREAS, the Concurring Municipality desires to foster economic development within its jurisdiction and to that end desires to have certain site(s), detailed in Schedule A attached hereto (the "Site(s)"), included within the boundaries of the Wayne County Empire Zone (the "ZONE"); and

WHEREAS, the Applicant Municipality desires to request of the Commissioner of Economic Development an amendment to the boundaries of the Zone to include the Site(s); and

WHEREAS, the Concurring Municipality concurs with the amendment of the boundaries of the Zone to include the proposed site(s); and

WHEREAS, the Concurring Municipality concurs with the deletion of the Site(s) of any portion thereof to the extent that the same is not utilized for economic development projects.

NOW, THEREFORE, in consideration of the foregoing, the mutual agreements herein contained and other good and valuable consideration to each of the parties hereto, the receipt and sufficiency whereof is hereby acknowledged, and intending to be bound hereby, it is hereby mutually covenanted and agreed as follows:

Section 1: The Applicant Municipality shall request of the Commissioner of Economic Development an amendment to the boundaries of the Zone to include the Site(s).

Section 2: (a) The Concurring Municipality hereby gives its consent to the amendment of the boundaries of the Zone to include the Site(s), and shall pass a resolution concurring with the Applicant Municipality's request to amend the boundaries of the Zone.

(b) In the event that the Site(s) is/are not utilized for economic development projects, the Concurring Municipality hereby gives its consent to the further amendment of the boundaries of the Zone to delete the Site(s) from the Zone, and shall pass a resolution concurring with the Applicant Municipality's request to amend the boundaries of the Zone to delete the Site(s).

Section 3: This Agreement shall be a contract made under the laws of the State of New York and for all purposes shall be governed by and interpreted in accordance with the laws of the State of New York (except to the extent the same are superseded by federal law).

Section 4: The rights and obligations under this Agreements shall not be assignable to any party hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be executed as of the day and year set forth above.

Concurring Municipality: Town of Palmyra  
By: David C. Lyon  
Town Supervisor

Applicant Municipality: Wayne County  
By: Marvin Decker  
Chairman, Board of Supervisors

**2. Edgemere Development—PILOT project for Garlock Bldg.**

MTN: SCHEDULE PRESENTATION BY EDMERERE DEVELOPMENT & SERMAR MGMT. ON PROPOSED GARLOCK BLDG. RENOVATION & PILOT PROGRAM

Motion was made by James Welch and seconded by Ken Miller to have Edgemere Development and Sermar Management present information on the proposed Garlock Building renovation, at the corner of Church Street and Canal Street in the village. This informational presentation was scheduled for 8:30 p.m. on Thursday, May 22. They are proposing a Payment In Lieu Of Taxes (PILOT) program which eases the increase of the costs of taxes on the property. This allows them to have the funds to complete the project, without being overwhelmed by the taxes. Voting was unanimous.

**3. Beth Hoad—Historian request to charge fees for research services in 2004**

HISTORIAN REQUEST TO CHARGE FEES FOR RESEARCH SERVICES

Palmyra Historian Beth Hoad has submitted a request to charge fees for the research services she provides for special requests. There can be many hours of poring over old records and published material for a single request, taking up valuable time for the Historian. Other municipalities have an hourly charge for research services. It was decided that the request would be considered at the May 22 board meeting.

**4. Announce no Motel Information Meeting on May 22.**

NO MOTEL INFO MEETING ON MAY 22

Although there have been phone communications with people involved in the Palmyra Inn project, there apparently has been a delay in the anticipated date for presentation to the Town Board. There will be no information meeting on May 22.

**5. Emergency Medical Services Week Proclamation.**

MTN: EMS WEEK PROCLAMATION

Motion for the town board to proclaim May 18-24 as National EMS Week was made by Michael Lambrix and seconded by James Welch. Voting was unanimous.

**EMS WEEK PROCLAMATION**

To Designate the Week of May 18-24, 2003, as Emergency Medical Services Week.

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services teams consist of emergency medical technicians, paramedics, firefighters, educators, emergency physicians, emergency nurses, and others; and approximately two-thirds of all emergency medical services providers are volunteers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals, and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

NOW, THEREFORE, I, David Lyon, Supervisor of the Town of Palmyra, County of Wayne, State of New York, in recognition of this event do hereby proclaim the week of May 18-24, 2003, as

**EMERGENCY MEDICAL SERVICES WEEK**

And encourage the community to observe this week with appropriate programs, ceremonies, and activities.

Date: May 8, 2003

Signed by: David C. Lyon, Palmyra Town Supervisor

Motion to adjourn was made at 8:20 p.m. by Michael Lambrix and seconded by James Welch. Voting was unanimous.

**MTN TO ADJOURN**

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk