

**REGULAR MEETING OF THE TOWN BOARD  
MAY 22, 2008**

At 7:30 p.m., Supervisor Lyon called to order the regular town board meeting, scheduled to be held on Thursday, May 22, 2008, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY.

**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:

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

**ROLL CALL**

Also attending the meeting:

- Billie Rae Walker
- Michael Boesel
- Deb Rothfuss
- Bob Grier

**MEETING ATTENDANCE**

Motion was made by Ken Miller to approve the minutes of the April 24, 2008 meeting of the Town Board.

**MTN: APPRV  
4/24/2008 TOWN  
BOARD MTG  
MINUTES**

Second: Dave Nussbaumer                      Vote: 4 Ayes. Carried.  
Mike Lambrix abstained as he was not at the April 24 meeting.

**COMMUNICATIONS**

1. Pageant Cast Crews Available to Town: Again this year, the Town received a letter asking if there are projects for the Town that cast members of the Hill Cumorah Pageant could work on as a one-day service project. Since Ken Miller heads the Buildings and Grounds Committee, he knows the kinds of things that need to be done around the building. He stated that he has several jobs for a team of 3 to 5 cast members for one afternoon. Town Clerk Lynne Green is to follow up and arrange for the team to meet with Ken on the appointed day.

**HILL CUMORAH  
PAGEANT CAST  
CREWS  
AVAILABLE FOR  
WORK AROUND  
TOWN HALL IN  
JULY**

**TOWN  
OFFICIALS  
INVITED TO  
PARTICIPATE IN  
MEMORIAL DAY  
PARADE**

2. Memorial Day Parade: Raymond Freyn, First Vice Commander of the James R. Hickey Post 120 of the American Legion in Palmyra sent a letter of invitation to the Town Officials to participate in the Memorial Day Parade, to be held on May 26, 2008. Dave Lyon received this invitation after the April Town Board meeting, so he had already replied that there would be Town Officials represented in the parade. Jim Welch, Dave Lyon, Dave Nussbaumer, Lynne Green and Mike Boesel agreed to participate.

**SPECIAL  
INVITATION TO  
LOCAL DISPLAY  
OF DEAD SEA  
SCROLLS**

3. Invitation to see Dead Sea Scrolls Display: An invitation was extended to the Town Board to come to an Open House on May 31, 2008, the final day of an exhibit on the Dead Sea Scrolls, at the Hill Cumorah Visitors' Center. A special showing and reception concluded the display of these world-famous ancient religious writings.

**SMSI GRANT  
APPROVAL  
ANNOUNCE-  
MENT**

4. Shared Municipal Services Incentives (SMSI) Grant Project: A letter from the New York Department of State was received announcing the SMSI Grant application, "Palmyra Highway Equipment Purchase and Sharing Project," was successful and \$449,792.78 in funds are available for this multi-municipal project. Highway Superintendent Mike Boesel prepared the application including four municipalities--Town of Palmyra, Village of Palmyra, Town of Macedon and Town of Walworth--in a project to purchase heavy equipment which individual municipalities wouldn't be able to fund by themselves.

**UPCOMING  
PRESENTATION  
BY RURAL  
DEVELOPMENT  
FOR  
SOUTHWEST  
QUADRANT AND  
JOHNSON-  
FLOODMAN  
PROJECTS**

5. Rural Development Presentation: On Tuesday, May 27, 2008, people will be at Town Hall from the USDA Rural Development Office for a special presentation. Congressman Jim Walsh will be on hand for photos with local officials, showing oversized checks from Rural Development with amounts of USDA grants for two Town projects: The Southwest Quadrant Sewer Project and the Johnson-Floodman Water Project. Dave Lyon invited Board members to participate.

**REPORTS OF STANDING COMMITTEES**

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

Ken Miller said basement insulation was looked at this month, along with sealing up a wall to keep out moisture under Town Hall. Also, Bob Grier helped with a furnace that had not been working properly, and Ken wanted to thank Bob for his help. Ken says he is working a 3-to-4-year program to replace all furnaces. These newer, more efficient furnaces should allow the Town to use two instead of the current 3 furnaces, saving the town heating and maintenance costs in the future.

**BUILDINGS AND  
GROUNDS  
REPORT--  
FURNACES &  
CUPOLA ISSUES**

He also said people would be coming to look at Town Hall's cupola, to determine what options are available--replace, renovate or modify--to find a long-term way to maintain the facade, yet to be economical for the Town. He will report back next month.

**Highway Committee – James Welch, Chairman**

Highway Department Monthly Report: In his report for May, Highway Superintendent Mike Boesel outlined projects his crew has worked on during the month:

Highway Superintendent Report  
For Town Board Meeting--5/22/2008

Since the 4/24/08 meeting we have completed the following work:

- Ditching – Meadow Dr./Clover St, E.Foster St, Hogback/Floodman, Port Gibson Road
- Pothole patching – all roads reviewed several times in past month
- Hauling – hauled washed 1A stone for surface treating later this summer
- Shoulder work – Temple, Stafford and Cole Roads
- Inter-municipal Assistance – worked with Manchester Highway 5/13/08 and 5/14/08

**HIGHWAY  
DEPARTMENT  
MONTHLY  
REPORT**

Other miscellaneous items include:

- SMSI Grant – On May 1<sup>st</sup>, we finally received word that we were awarded a grant in the amount of \$449,792.78. We are supposed to be receiving paperwork from the NYS DOS to start the next step.

**SMSI GRANT  
SUCCESSFUL**

**MUNICIPAL  
AUCTION  
UPDATE**

- Palmyra Municipal Auction – On May 10<sup>th</sup>, the 23<sup>rd</sup> Annual Palmyra Municipal Auction was held. We broke another sales record with over \$3.8 million in sales. I hope to have a separate report to share.

**WILDLIFE ISSUE  
--BEAVER  
NUISANCE**

- Beaver Issues – In late April we noticed the water level getting closer to the edge of pavement on the south side of Lusk Road. Beaver activity was very apparent. The NYS DEC issued us a Townwide Beaver Permit. A separate permit was issued to the property owner, Jim Miller, and I contracted the services of Gary Wright – Nuisance Wildlife Removal Service. He has caught 4 beavers to date. I suspect we may have an issue further upstream as well and will be looking into that area soon.

- Equipment Update – All trucks were recently inspected in late April/early May. We received our new Bobcat S220 on May 1<sup>st</sup>.

- Roadwork – On May 13<sup>th</sup> we assisted the Town of Manchester with two trucks as they surfaced treated their portion of Stafford Road. On May 14<sup>th</sup>, they assisted us with our end of Stafford and Temple Road. Town of Arcadia brought their rubber-tire roller as well. We also had trucks from Hopewell and Phelps assisting us.

- Mowing – Chris Bratt is mowing for us again this summer. We started roadside mowing on May 13<sup>th</sup>.

**FUEL ISSUES  
TOP PRIORITY  
WITH ALL WHO  
USE FUEL  
DEPOT**

- Fuel – I have been working with the PMCSO on their upcoming fuel bid. We are hoping for a competitive bid. We are doing all we can to conserve and save fuel. I recently inquired with the WC Highway Dept, the NYS DOT and the NYS Comptroller's Office on any ideas they are currently pursuing. We will continue to do the best we can to keep our usage and costs as low as possible.

**PERSONNEL  
UPDATE**

- Personnel Update –
  - Chris Bratt started back with us on 5/13/08
  - Todd Piccola started back with us on 5/20/08 until mid August

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

**Planning and Economic Development Committee – Michael  
Lambrix, Chairman****PLANNING  
BOARD  
MEETING  
MINUTES OF  
5/12/2008**

Minutes of the Town Planning Board committee meeting of May 12, 2008 were read by Town Board members. There were no comments or questions concerning the minutes.

**Zoning Committee – David Nussbaumer, Chairman**

- 1. CEO Report: Code Enforcement Officer Bob Grier submitted his monthly report summarizing activity through May 22.

**CEO REPORT  
FOR MAY**

- 2. North Creek Road Nuisance Property--Dibert: Grier updated the town board on the Dibert property. He says the long-time situation is "creeping back into problems." During the last year, the town has taken him to court, which found him guilty, imposed a fine and a conditional discharge, and told to stay in compliance. Court rulings have basically been ignored, so the town is in the same place it was last year, but has now lost the money spent prosecuting him.

**NORTH CREEK  
ROAD NUISANCE  
PROPERTY—  
DIBERT**

Councilman Mike Lambrix said, "we've been down this road since 1997." Dibert is, according to Mike, running an illegal business. Bob Grier said we can't issue a Cease and Desist order, since the town has no proof that he's accepted money for services. Bob thinks he has some license, maybe for farm equipment or scrap hauler, but no salvage yard permit or license. Bob wasn't sure if Dibert had ever paid any fines that had been imposed on him in court. If he hasn't paid, he is in violation of the court.

It was the consensus of the Board, and Ken Miller made the motion, to continue to evaluate the situation, to pursue alleged illegal activities, and to proceed with legal avenues.

**MTN: PROCEED  
WITH LEGAL  
AVENUES FOR  
DIBERT'S  
PROPERTY**

Second: Mike Lambrix                      Vote: 5 Ayes. Carried.

- 3. Garnsey Road Nuisance Property: Nothing has been done in the last six months on the property. When Grier last talked with the representative for the owner, he said it would take six to seven months to rid the property of the old metal equipment and heavy-duty machinery. The agreement drafted by the Town and taken and sent to the owner and representative, has not been signed nor returned to the Town. The agreement allowed until September 1 to complete the removal, however, the Town has not heard from the Christophersons at all.

**GARNSEY ROAD  
NUISANCE  
PROPERTY—  
CHRISTOPHER-  
SON**

Discussion by Board members centered around the options available at this point: send a notice? give another 30 days to sign and return agreement? sixty days? must start within 30 days? complete by August 15?

Consensus was that if Christophersons don't start cleanup work by June 15, the Town Board can declare that they have ignored the order, and that the Town would have solid legal standing to commence legal proceedings. They are already out of compliance by not signing and returning the contract. Bob Grier said they have had several notifications to clean up the property, they've had plenty of time although there is a tremendous amount to remove. Right now, there is a huge value to scrap metal, and it puzzled the Board as to why they haven't sold the equipment for the money.

Bob stated there is no doubt that Christophersons are currently in violation of Code, because theirs is considered an "unsafe" property. The law says that expenses incurred by the Town in a cleanup process can be re-levied onto the property taxes. This includes expenses for hauling the scrap metal and manpower. Bob reminded the Board that if the Town were to bring heavy equipment to move the scrap metal off the property, the Town could expect a confrontation.

**MTN: PROCEED WITH LEGAL AVENUES FOR CHRISTOPHERSONS' PROPERTY**

Mike Lambrix said in eleven years, nothing has been done. He made the motion for the Town to "get it done, whatever it takes."

Second: Dave Nussbaumer      Vote: 5 Ayes. Carried.

**LYON ROAD NUISANCE PROPERTY—MORRISON**

- 4. Lyon Road Nuisance Property: Another property with several unlicensed vehicles, junk, stuff flowing onto O'Meal Road, has been cited for starting a junk yard without a license. The land was sold to Mr. Morrison on a land contract, but the Town will take him to court on June 3. Bob is trying a more aggressive approach to get these violations corrected or eliminated at a much earlier stage. The Town can go to court within 14 days of a violation notice, and hope the judge will issue a Stop Order until the violations are resolved. The Board decided not to have more discussion about this property until it learns more about the violations and the court decisions.

**NORTH CREEK ROAD NUISANCE PROPERTY—BLACKBURN**

- 5. North Creek Road Nuisance Property—Blackburn: Since the property in question is in foreclosure, the bank has spent about \$13,000 so far in cleanup work. Although the Town never legally served the bank a notice to clean up, the Town appreciates the fact that about 90% of the work has been done, with only a few hundred tires left to complete the task.

6. Other Town Construction Projects: Bob updated the Board on three construction projects underway in the Town: Three more buildings have been started on Division Street, enlarging the Willow Landing apartment project. The new Cross Creek Methodist Church building on Route 31 East is now close to completion. The Garlock building under construction should be complete by late May or early June.

**UPDATE ON  
OTHER TOWN  
CONSTRUCTION  
PROJECTS**

**INFORMATIONAL ITEMS**

1. Town Clerk's Office Report for May: During May, Celeste updated all PCs for software, performed Disk Cleanup and Defragmented the C Drive. All the PCs are running faster now, thanks to Celeste. Registering new dogs in the town continues at a fast pace. Jamie Plain, our Workforce Development Intern, was required to take a job that was found by Social Services. Her last day was May 8. We miss having another trained person in the office but we wish her well. The Department of Environmental Conservation (DEC) in Albany has allowed towns to use cable systems to access the Hunting and Fishing license registrations and renewals. We no longer have to wait for dial-up. The process of issuing Sporting Licenses is much quicker now.

**TOWN CLERK'S  
OFFICE  
MONTHLY  
REPORT FOR  
MAY**

One PC at the customer counter is an older model, which doesn't have the capability that the rest of the office PCs have. There is a PC in Archives Room A that is much newer, and is hardly used. Its capability and memory are compatible with others in the office, and can handle the newer software. Lynne wants Town Board members to be know that, rather than purchase a new PC to replace the older model, she proposes a swap between the two PCs. There would be a cost of unhooking, switching, and re-hooking up each machine, but would be cheaper than getting a new PC and having to download all the software.

Board members were glad there was no need to purchase another PC at this time, and felt no need to make a motion to accomplish the PC swap.

As Celeste updated Archival Files this month, she encountered a genealogical file that could not be opened. A pop-up window said "access denied." Lynne told Supervisor Lyon of the inability to access certain archival files, and he suggested calling the Information Technology people at the County in Lyons. Two people came out, worked in the Server Room for a short while, and were able to determine the necessary password, and removed the "access denied" status. Files are still being checked and future problems will be addressed as needed.

**ASSESSOR'S  
REPORT FOR  
MAY**

2. Assessor's Report for May: Most of the month involves preparing for Grievance Day, which falls this year on Tuesday, May 27th. For an update year, the number of grievances is very light.

**MORRISON  
QUARTERLY  
GRAVEL  
PAYMENT**

3. Morrison Quarterly Payment: Payment was received from Morrison Excavating Inc. for \$58.50, for gravel removed from the Division Street gravel pit during the first quarter of 2008.

**AGENDA ITEMS**

**MTN: APPROVE  
MEMORANDUM  
OF UNDER-  
STANDING WITH  
NYS ORPS FOR  
ANNUAL  
REASSESS-  
MENT PLAN**

1. Approve Memorandum of Understanding: Supervisor Lyon received a Memorandum of Understanding from the N.Y. State Office of Real Property Services (ORPS) announcing their willingness to work with the Town if the Town decides to establish and finalize an Annual Reassessment Plan. By approving this agreement, the door is kept open for the Town to continually update the Town's assessments, if it chooses. Mike Lambrix made the motion to approve the ORPS Memorandum of Understanding.

Second: Dave Nussbaumer

Vote: 5 Ayes. Carried.

2. Newport Alliance Services Contract: In the Spring of each year, the Town receives a Services Agreement to allow Newport Alliance to conduct drug/alcohol tests on Town employees in jobs where dangers could occur should the employees be under the influence. These test results are kept



confidential. Mike Lambrix made the motion to approve having Newport Alliance conduct employee drug/alcohol testing.

**MTN: APPROVE  
2008 NEWPORT  
SERVICES  
CONTRACT**

Second: Dave Nussbaumer      Vote: 5 Ayes. Carried.

- 3. Approve Manufactured Home Park Permits: Four town manufactured home parks have applied for a 2008-2009 Mobile Home Park Permit. Requesting Board approval are Valley View Mobile Home Park, Canalside Estates, LLC, Trolley Road Mobile Home Park and Marquart Village, Inc. Dave Nussbaumer made the motion to approve issuing Mobile Home Park Permits to these four parks for 2008-2009.

**MTN: APPROVE  
2008-2009  
MANUFAC-  
TURED HOME  
PARK PERMITS  
FOR VALLEY  
VIEW, CANAL-  
SIDE ESTATES,  
TROLLEY RD, &  
MARQUART  
VILLAGE**

Second: Ken Miller      Vote: 5 Ayes. Carried.

- 4. Resolution and Order: Southwest Quadrant Sewer District: In order to complete the paperwork necessary to move ahead on the proposed Southwest Quadrant Sewer District, it is necessary to hold another public hearing. After turning paperwork over to the N.Y. State Comptroller's office, it was determined that increased funding was under the threshold and did not need approval by the Comptroller.

This added grant means that each residence in the proposed sewer district would have to pay about \$100 less than had previously been thought. A new public hearing is necessary to let residents have the correct numbers before proceeding.

In The Matter of the Creation of  
Southwest Quadrant Sewer District in the  
Town of Palmyra, County of Wayne, State of New York

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Resolution and Order for Public Hearing

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**RESOLUTION &  
ORDER FOR  
NEW PUBLIC  
HEARING FOR  
SOUTHWEST  
QUADRANT  
SEWER  
DISTRICT**

WHEREAS, The Town Board of the Town of Palmyra has caused a map and plan and report to be prepared by the Town's Consulting Engineers, MRB Group, P.C., regarding the creation of the Southwest Quadrant Sewer District providing sewer collection and processing to properties south of the Village of Palmyra and outside of any existing sewer district and east of the New York State Route, and

WHEREAS, there is a need for sewer service in the proposed service district, and

WHEREAS, the boundaries of such proposed sewer district are set forth on Schedule A attached hereto and made a part hereof, and

WHEREAS, the proposed improvements to be made are as follows:

1. Construction of 4,500± lineal feet of 2" pvc forcemain,
2. Construction of 3,500± lineal feet of 1½" pvc forcemain,
3. Installation and connection of 39 grinder pumps,
4. Miscellaneous fittings and equipment and the site work incident to the preparation and completion of the proposed project map.

All in accordance with the map, plans and specifications prepared by the Town consulting engineers and filed in the Town Clerk's Office, and

WHEREAS, the maximum amount to be expended for the improvements is \$549,800.00, and

WHEREAS, the Town through the Wayne County Water and Sewer Authority has applied for and received a United States Environmental Protection Agency Grant in the amount of \$221,800.00, and

WHEREAS, the Town has received a grant from United States Department of Agriculture in the amount of \$100,000.00 to be used for the project, provided the construction is completed by December 31, 2008.

WHEREAS, the Town has applied for a loan from the United States Department of Agriculture for a Rural Development Loan in the amount of \$228,200.00 with interest of 4.5% payable over 38 years, and

WHEREAS, the cost for the average single family home would be \$657.98 per year, and

WHEREAS, the individual homeowners who connect in the first year will have costs of \$1,500.00 to \$3,000.00 for work on their own system, and ongoing charges of \$70.00 annually for estimated electric charges and replacement charges for the pump.

WHEREAS, improved property or vacant land which benefits will be assessed a \$10.00 annual benefit or debt service charge per year.

WHEREAS, the project is subject to a permissive referendum, all pursuant to Town Law.

WHEREAS, the project is subject to receipt of the proposed funding and the approval that is required from the State and Federal government, and it is hereby

ORDERED, that at a meeting of the Town Board of the Town of Palmyra to be held at the Town Hall of the Town of Palmyra, 1180 Canandaigua Road, Palmyra, New York, on the 12<sup>th</sup> day of June, 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 sewer and for such other actions on the vote of the 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.

**RESOLUTION &  
ORDER FOR  
NEW PUBLIC  
HEARING FOR  
SOUTHWEST  
QUADRANT  
SEWER  
DISTRICT**

BUT 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 *Courier-Journal* and *The Times of Wayne County*, and to post a notice of this hearing on the sign board of the Town of Palmyra and such other place and in the time and manner as required by law.

May 22, 2008

**RESOLUTION &  
ORDER FOR  
NEW PUBLIC  
HEARING FOR  
SOUTHWEST  
QUADRANT  
SEWER  
DISTRICT**

Dave Nussbaumer made the motion to schedule the public hearing for the Southwest Quadrant Sewer District for Thursday, June 12, 2008, at 7:30 p.m. Seconded by Mike Lambrix.

**MTN:  
SCHEDULE  
PUBLIC  
HEARING**

A roll call vote was requested.

Supervisor David Lyon	Aye	
Councilman David Nussbaumer	Aye	
Councilman Michael Lambrix	Aye	
Councilman James Welch	Aye	
Councilman Kenneth Miller	Aye	Motion Carried.

**ROLL CALL  
VOTE**

5. Resolution and Order: Johnson-Floodman Water District: In order to complete the paperwork necessary to move ahead on the proposed Johnson-Floodman Water District, it is necessary to hold another public hearing. After turning paperwork over to the N.Y. State Comptroller's office, certain wording and the timetable for previous legal notices was not in keeping with State-approved guidelines. A new public hearing is necessary to meet these guidelines before proceeding.

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

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Resolution and Order for Public Hearing

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**RESOLUTION &  
ORDER FOR  
NEW PUBLIC  
HEARING FOR  
JOHNSON-  
FLOODMAN  
WATER  
DISTRICT**

WHEREAS, a written Petition in multiple parts, dated August 29, 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:

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:

**(SEE SCHEDULE A ATTACHED HERETO)**

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 appurtenances, 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.

**RESOLUTION &  
ORDER FOR  
NEW PUBLIC  
HEARING FOR  
JOHNSON-  
FLOODMAN  
WATER  
DISTRICT**

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 a one-time connection charge not to exceed \$1,400.00 per home, including water consumption charges in the first year; and

It is proposed that all unimproved parcels or vacant parcels shall pay an annual \$10.00 benefit or debt service charge.

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 12th day of June, 2008 at 8:00 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.

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: May 22, 2008

**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 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 FOR  
NEW PUBLIC  
HEARING FOR  
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

- 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 to 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.

**RESOLUTION &  
ORDER FOR  
NEW PUBLIC  
HEARING FOR  
JOHNSON-  
FLOODMAN  
WATER  
DISTRICT**

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

- 1) Northwesternly 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 Water District to the north line of the County of Wayne tax map parcel number 66111-00-380292; thence

Westerly along the north line of the County of Wayne property to the point and place of beginning.

Dave Nussbaumer made the motion to schedule the public hearing for the Johnson-Floodman Water District for Thursday, June 12, 2008, at 8:00 p.m. Seconded by Mike Lambrix.

**MTN:  
SCHEDULE  
PUBLIC  
HEARING**

A roll call vote was requested.

Supervisor David Lyon	Aye	
Councilman David Nussbaumer	Aye	
Councilman Michael Lambrix	Aye	
Councilman James Welch	Aye	
Councilman Kenneth Miller	Aye	Motion Carried.

**ROLL CALL  
VOTE**

6. Resolution: Water Storage Project with Marion: Like the Town of Palmyra has done in the past, we would like to enter into a "cooperative funding agreement" with the Towns of Marion and Arcadia, and the Wayne County Water and Sewer Authority, using unused grant funds from previous water projects to facilitate improvements to the Town of Marion water storage tank. It is necessary to have the Town Board approve the following resolution to accomplish this cooperative agreement:

Town of Palmyra  
**Resolution**

"Resolved, that the Supervisor of the Town of Palmyra, Wayne County, New York, is hereby authorized, to execute and deliver, in one or more counterparts, a certain Amended And Restated Cooperative Funding Agreement by and among the Town of Palmyra, Town of Marion, Town of Arcadia, and the Wayne County Water and Sewer Authority as the same pertains to improvements to be made to the Town of Marion water storage tank and related water system facilities in order to assure adequate water supply and water pressures to existing and future Palmyra water districts, and the Supervisor is hereby authorized to provide such additional cooperation as may be required of the Town of Palmyra in furtherance thereof."

By Order of the Town Board  
May 22, 2008

**MTN: APPROVE  
COOPERATIVE  
FUNDING  
AGREEMENT  
FOR MARION  
WATER  
STORAGE TANK**

Mike Lambrix made the motion to approve the Cooperative Funding Agreement.

Second: Ken Miller                      Vote: 5 Ayes. Carried.

The Amended and Restated Cooperative Funding Agreement is included with these minutes as Attachment A.

Supervisor David Lyon signed the agreement.

**MTN: APPROVE  
ABSTRACTS  
#148 AND #149**

- 8. Approve Abstracts #148 and #149: Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #148 (for vouchers already paid), which includes Voucher Numbers 9214 through 9219, for \$20,720.20; and Abstract #149, (for vouchers to be paid) which includes Voucher Numbers 9220 through 9305, for \$81,770.02.

Second: Mike Lambrix                      Vote: 5 ayes. Carried.

**MTN: ENTER  
EXECUTIVE  
SESSION**

- 9. Enter Executive Session: At 8:19 p.m., Mike Lambrix made the motion to enter into Executive Session to discuss matters of litigation.

Second: Dave Nussbaumer              Vote: 5 ayes. Carried.

At 8:34 p.m., Supervisor Dave Lyon declared the Board out of Executive Session.

**MTN: ADJOURN  
MEETING**

- 10. Motion to Adjourn: At 8:35 p.m., Mike Lambrix made the motion to adjourn the meeting.

Second: Dave Nussbaumer              Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

Attachment A: Amended and Restated Cooperative Funding Agreement

**NEXT MEETING:  
THURSDAY, JUNE 12, 2008, AT 7:30 P.M.  
PALMYRA TOWN HALL**