

PUBLIC HEARING**FOR JAMES SCHEER—SPECIAL USE AUTHORIZATION****PALMYRA TOWN HALL
SEPTEMBER 22, 2005**

The Public Hearing scheduled for Thursday, September 22, 2005 at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, to consider the Special Use Authorization for James Scheer to replace an existing mobile home on 1781 Division Street, Palmyra, with a double-wide manufactured home, was called to order at 8:00 p.m. by Town Supervisor David Lyon. The following legal notice for the public hearing had been previously posted and published:

CALL TO ORDER**LEGAL NOTICE
TOWN OF PALMYRA****JAMES SCHEER – SPECIAL USE AUTHORIZATION**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will hold a Public Hearing on Thursday, September 22, 2005 at 8:00 PM at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY to consider the application of James Scheer, 1480 Penfield Center Road, Penfield, NY 14526, for a Special Use Authorization to replace an existing mobile home on 1781 Division Street, Palmyra, with a double-wide manufactured home.

LEGAL NOTICE

Article III, Section 3.2(b) of the Palmyra Town Zoning Ordinance, which limits the uses of property in an Agricultural District to those permitted under Section 3.1, Paragraphs a-h states: "Use of land for other than farm purposes requires Special Authorization from the Town Board. Such Special Authorization is subject to Article VII, Section 7.1".

The property is located at 1781 Division Street, Palmyra, and is bounded on the north by property reputedly owned by Floyd Watson, tax parcel #64112-19-701027; and bounded on the East by Division Street; and bounded on the South by property reputedly owned by Mark Giacchetta, tax parcel #64112-19-704019; and bounded on the West by property reputedly owned by Palmyra Airpark, Inc., tax parcel #64112-19-633108.

The Town Board will at said time and place hear all persons in support of the above application or any objections thereto. Persons may appear in person or by attorney or agent. The application is on file at the Town Clerk's Office, 1180 Canandaigua Road, and is available for review Monday through Friday, 8:00 AM – 5:00 PM.

BY ORDER OF THE TOWN BOARD

Dated: August 25, 2005

Lyndall Ann P. Green, Town Clerk

In attendance at the hearing were the following town board members:

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

**ATTENDANCE AT
PUBLIC HEARING**

Also present at this hearing:

Michael Boesel Palmyra Highway Superintendent
James Scheer 1480 Penfield Center Rd., Penfield
Bob Grier Palmyra Code Enforcement Officer
Todd Pipitone *Courier-Journal* reporter

**PUBLIC HEARING
CLOSED**

Supervisor Dave Lyon asked Jim Scheer to begin by explaining what he plans to do on this lot. Scheer answered that he plans to remove and replace the old trailer with a double-wide manufactured home. He provided board members with several photos of the home he plans on moving there. He plans to rent it or sell it, rather than to live in it. The double lot can accommodate the larger home meeting current setback regulations. The double lot, which has housed two trailers in the past, will only have one residence and a garage, if approved. Dave Lyon asked for the recommendation of the Planning Board. The report provided to the Town Clerk showed no mention of this request. There were no people in attendance who wished to speak either for or against the Special Use request, so at 8:05, Supervisor Lyon declared the public hearing closed.

REGULAR TOWN BOARD MEETING

**CALL MEETING
TO ORDER**

Supervisor Lyon called to order the regular town board meeting, scheduled to be held on Thursday, September 22, 2005, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, at 8:06 p.m.

**PLEDGE TO
FLAG**

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

ROLL CALL

Upon roll call, the following board members were present:
David C. Lyon, Supervisor
James Welch, Councilman
Michael Lambrix, Councilman
Kenneth Miller, Councilman
Councilman David Nussbaumer was absent.

Motion was made by Ken Miller to approve the minutes of the August 25, 2005 and the September 1, 2005 meetings of the Town Board.

Second: James Welch

Vote: 4 ayes. Motion carried.

**MOTION:
APPROVE
MINUTES OF
8/25/2005 AND
9/1/2005 TOWN
BOARD
MEETINGS**

COMMUNICATIONS

1. Satellite Teleconference—Records Management: A notice of the upcoming live, interactive, satellite teleconference on Tuesday, October 18th at the Wayne County Cornell Cooperative Extension location was received. The topic is "Something about Records Management: It's a LOT more than just boxes!" Board members were encouraged to attend. **SATELLITE TELECONFERENCE ON OCTOBER 18**
2. Tire Collection Day scheduled: The Wayne County Soil and Water Conservation District has asked the town to post a flier announcing its Tire Collection Day on October 15th. Residents interested in participating are asked to call the WCSWCD directly to arrange for drop off. **TIRE COLLECTION DAY SCHEDULED**
3. Household Hazardous Waste Collection Day: The Western Finger Lakes Solid Waste Management Authority announces its Household Hazardous Waste Collection Day on October 8th. Residents interested in participating are asked to call the WFLSWMA to arrange for a time and location for drop off. **HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY SCHEDULED**
4. Senator Nozzolio award of grant: Supervisor Lyon announced that he had just received word from NY State Senator Michael Nozzolio's office that Palmyra has received word of a \$30,000 award to construct a sidewalk from the village line south to the Town Hall. More information will be forthcoming. **AWARD OF \$30,000 FOR SIDEWALK EXTENSION TO TOWN HALL**

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Ken Miller, Chairman

Work done at Town Hall: Ken Miller reported that the new roof is coming along well, with the first part replaced. It is a large project, which will take several weeks. Dave Lyon asked about installation of gutters on the back

**TOWN HALL
WORK UPDATE**

side. Bob Grier said that after the roof is done and fascia boards are completed, the gutter work can be tackled.

In addition to the roof, Ken said there are lights in the parking lot which need to be addressed. A mason is coming to look at the chimney to see what work needs to be done there, as well as a painter for the front cupola and portico work. He said final approval of the front sign design has been signed off, and the volunteers are busy now preparing the new sign to be installed on the brick base.

Highway Committee – Michael Lambrix, Chairman

HIGHWAY
DEPARTMENT
MONTHLY
REPORT

Highway Department Monthly Report: Mike Boesel's monthly report listed a variety of jobs the Highway crew has worked on during the past month. He announced Ed Bastian's last day as seasonal help will be tomorrow. Ken Miller complimented the crew for the roadside mowing—that it looks excellent this year. Plans for the next two weeks include paving the 5000-ft. construction zone at Shilling/Goldsmith/Lusk Roads, as well as the section of Hogback Road which was severely damaged this spring, near Swift's Landing Park.

Planning Committee – James Welch, Chairman

QUESTIONS
ABOUT
APARTMENT
COMPLEX
UNDER
CONSTRUC-
TION ON
DIVISION
STREET

Apartment complex on former airport construction: Jim Welch asked Bob Grier if rumors he had heard around town are true about the apartments at the former airport which are now being constructed. People have expressed the concern that they will be rented to low-income families. Bob stated that the apartments are one- two- and three-bedroom apartments, available to people of all incomes. He knows that they were constructed with the help of a particular government program, but he is unfamiliar with the rent structure. Dave Lyon said that the Housing Secretary came to the site from Albany to answer questions about the project, but no one, not even reporters, showed up. Conifer is the company who is having the complex constructed, and who will be the rental agents. Ken Miller suggested we call them.

Zoning Committee – David Nussbaumer, Chairman

MONTHLY
REPORT FOR
SEPTEMBER

1. Code Enforcement/Zoning Office Monthly Report: Code Enforcement and Zoning Officer Bob Grier submitted a monthly report showing Permit activity during the previous month.

2. Recent projects status: Palmyra Inn received their permanent Certificate of Occupancy this month. They also received their certificate from the NY State Health Department, and things are going wonderfully for them.

**STATUS OF
CURRENT
PROJECTS**

On Division Street, the 4th basement for the fourth building of the apartment project has been started, the first three are done. Conifer is the "main controller" of the project, although Macedon Excavation is doing the work now. They hope to have the buildings done in the next six months.

Also, there are homes being constructed on Division Street by Fred Sapp.

3. James Scheer's request for Special Use Authorization: In consideration of the fact that removal of the old trailer at 1781 Division Street is very much needed, board discussion centered around the replacement double-wide, which appears to be used. Bob Grier said this is the first one which hasn't been new. The lot is a double lot with 100 ft.+ of frontage, so it should conform to all setbacks. The old trailer had been "grandfathered" because it had been there prior to 1960. Jim Welch asked about the shed, wondering if it, too, should be removed. Grier added that "structurally, it looks good" and that it had been used for storage. When asked why the Planning Board hadn't made a recommendation, he said it was done informally, not before the Planning Board. Mike Lambrix made the motion to approve the replacement of the old trailer at 1781 Division Street, with the condition that an inspection of the replacement double-wide be made before moving it onto the property, if the replacement is a used unit.

**MTN: APPROVE
SUA FOR
JAMES SCHEER
TO REPLACE
TRAILER AT
1781 DIVISION
ST.**

Second: Ken Miller

Vote: 4 votes. Carried.

INFORMATIONAL ITEMS

1. Assessor's Report for September: Palmyra Assessor Elaine Herman reports that residents applying for the Senior STAR program tax exemptions need to get their income information to her by September 30th. She is also doing field reviews for next year's assessment roll. Since over 200 building permits have been issued so far this year, each one needs to be checked for impact on the assessment.

**ASSESSOR'S
REPORT FOR
SEPTEMBER**

**TOWN CLERK'S
OFFICE
REPORT FOR
SEPTEMBER**

- 2. Report to the Board from the Town Clerk's office: This month's activity includes school tax collection, Grand Opening of the Palmyra Inn, hosting the Wayne County Town Clerks and Deputies Association luncheon and meeting, attending a regional meeting of the NY State Town Clerk's Association which discussed upcoming changes in dog licensing procedures and changes in voting machines.

**REPORT ON
MEETING FOR
PROPOSED
EXPANSION OF
HIGH ACRES
LANDFILL**

- 3. Proposed Expansion of High Acres Landfill meeting: On September 7th, the NY State DEC conducted a public Scoping Meeting on the proposed expansion of the High Acres Landfill in Perinton into the town of Macedon. Both the town and village of Palmyra have a keen interest in the issue because trash trucks to and from the site travel on Routes 21 and 31 from Thruway Exit 43. Speed, noise, diesel emissions, proximity to a school and daycare center, and road deterioration are among the concerns Palmyrans have. The meeting was well-run, with opportunity to speak for all who wished to do so. Ken Miller, Mike Boesel and Lynne Green attended the meeting, largely attended by Palmyrans who've been part of the Route 21 Truck Traffic group the last two years. Mike was among the speakers who brought our issues and concerns before the group. Hopefully, these will be addressed by the DEC when conducting its study on this expansion request.

**RE-
DEDICATION OF
PALMYRA
FLAGPOLE**

- 4. Re-dedication of Palmyra Flagpole: The town's flagpole, at the corner of East Main Street and Fayette Street, had been dismantled earlier this year and repainted and reinforced. It has been erected again and is scheduled to be re-dedicated on Tuesday, October 25, at 11 a.m. A reception by Historic Palmyra will follow. Board members were encouraged to attend if they can.

AGENDA ITEMS

**MTN: RENEW
POSTAGE
METER
EQUIPMENT
WITH PITNEY
BOWES**

- 1. Renew lease with Pitney Bowes: The current lease with Pitney Bowes for use of the postage meter equipment expires October 1st. Although there are several options available to the town, the board agreed to extend the contract for another 54 months at \$98 per month, to be billed quarterly. This includes the equipment, monthly fees, and all set-up charges when adding funds to the machine. Mike Lambrix made the motion to renew the lease not to exceed the cost of current lease.

Second: Ken Miller

Vote: 4 ayes. Carried.

2. Present Tentative Budget: The 2006 Tentative Budget was presented by the Town Clerk to the Board. This represents the edits to the original requests made by the various town departments. Mike Lambrix made the motion to accept the Tentative Budget for 2006.

**MTN: ACCEPT
TENTATIVE
BUDGET FOR
2006**

Second: James Welch

Vote: 4 ayes. Carried.

Now that the Tentative Budget for 2006 has been accepted by the Town Board, it becomes the Preliminary Budget.

3. Set Budget Hearing Date: Dave Lyon suggested that the Board set a public hearing date for the 2006 Preliminary Budget. Mike Lambrix made the motion to have the public Budget Hearing on Thursday, November 10, 7:30 p.m. at the Palmyra Town Hall.

**MTN: SET
PUBLIC
BUDGET
HEARING DATE
FOR NOV. 10**

Second: Ken Miller

Vote: 4 ayes. Carried.

4. Approve Abstracts #88 (for vouchers already paid) & Abstract #89 (for vouchers to be paid): Mike Lambrix made the motion to approve the claims and expenditures shown on Abstract #88, which includes Voucher Numbers 6491 through 6495, for a total amount of \$20,103.66; and Abstract #89, which includes Voucher Numbers 6496 through 6565, for a total amount of \$126,205.04.

**MTN:
APPROVE
ABSTRACTS
#88 AND #89**

Second: James Welch

Vote: 4 ayes. Carried.

5. Adjournment: Motion to adjourn was made at 8:33 p.m. by Michael Lambrix.

**MTN:
ADJOURN
MEETING**

Second: James Welch

Vote: 4 ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

**Next town board meeting is scheduled for Thursday, October 13, 2005,
at 8 p.m. at the Palmyra Town Hall**