

**PUBLIC HEARING
DZIEDZIC SPECIAL USE PERMIT
DIGITAL PRINT SHOP**

Town Supervisor David Lyon announced that the Public Hearing scheduled to be held on Thursday, July 27, 2000 at the Village Hall, 144 East Main Street, Palmyra, to consider the application of John Dziedzic for a special use permit to operate a digital print shop for posters and displays at his home located at 3543 Cole Road, Palmyra, will be rescheduled to August to allow time to complete the paperwork.

**PUBLIC HEARING –
DZIEDZIC
SPECIAL USE
PERMIT
APPLICATION**

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REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, June 22, 2000, at the Village Hall, 144 East Main Street, Palmyra, NY, was called to order at 8:19 PM by Town Supervisor David C. Lyon.

**REGULAR TOWN
BOARD
MEETING
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:

ROLL CALL

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

Also present at this meeting were the following:

- | | |
|------------------|----------------------------|
| Nelson F. Cook | Superintendent of Highways |
| Robert A. Grier | Code Enforcement Officer |
| Ann Vingee-Taber | Assessor |

Petra Anderson
Steve Buchiere
Julie Philipp
Bob Pease

Clerk to the Supervisor
Courier-Journal
Daily Messenger
3626 N. Creek Rd.

**APPR OF
MINUTES
6/22/2000**

David Nussbaumer moved to approve the minutes of June 22, 2000 as submitted.

Seconded by: Michael Lambrix

Carried: Unanimously

COMMUNICATIONS

**MORSAN
DEVELOP.**

- 1. Receipt of Morsan Development Report and payment for 2nd Quarter, 2000

1153 yards of gravel removed from the Division Street gravel pit; check received for \$288.25.

**SARA
GRANT
AWARD**

- 2. LGRMIF (SARA) Grant Award Notification

The New York State Archives and Records Administration (SARA) in response to an application made by the Town of Palmyra, has offered a grant of \$13, 418 for Project Number 0580-01-0052 for the Grant Year 7/1/2000 – 6/30/2001. This project is for the express purpose of indexing the Town's meeting minutes from 1789 to date.

- 3. Town of Walworth: Local Law No. 3, Amending the Zoning Law

Available for inspection in the Town Clerk's Office.

- 4. Town of Walworth: Amendment & Modification to Comprehensive Plan

Available for inspection in the Town Clerk's Office.

REPORTS OF STANDING COMMITTEES

Assessment Committee – Lynne Green, Chairman

ASSESSMENT
COM.

1. Assessor Update

Mrs. Taber reported to the Board that all was going smoothly.

Mr. Lambrix asked if there is anything available to hand out to property owners regarding all available tax exemptions. Mrs.

Taber replied she could put something together to review for the August or September meeting.

Highway Committee – David Nussbaumer, Chairman

1. Highway Supt. Update

Highway Superintendent Nelson Cook reported the Department has chip-sealed 11 miles of road, mainly in East Palmyra. They are now working on the north end of Shilling Road, and hope to be finished next week. Mr. Cook also informed the Board he has hired Matthew La Mora as a Motor Equipment Operator at the rate of \$12.00 per hour, and Edward Bastian Jr. as Temporary/Seasonal mower operator at the rate of \$12.00 per hour.

HWY DEPT
NEW
EMPLOYEES

2. Highway Superintendents' Fall Conference

Motion by David Nussbaumer to authorize the Highway Superintendent to attend the Superintendents' Fall Conference in Monticello, NY from September 26 to 29, 2000 at a cost not to exceed \$550, already budgeted.

RESOLUTION:
HWY SUPT TO
ATTEND
CONFERENCE

Second: Michael Lambrix

Carried: Unanimously

**PLANNING
COMMITTEE
REPORT**

Planning Committee – James Welch, Chairman

1. CEO Update

CEO Robert Grier submitted the office’s calendar for July, on file in the Town Clerk’s Office.

Zoning Committee – Michael Lambrix, Chairman

**SET PUBLIC
HRG: DZIEDZIC
SPECIAL USE**

1. Set Public Hearing Date – Dzedzic Special Use Permit Application

Motion by Michael Lambrix to set August 24, 2000 at 8:00 PM at the Village Hall as the time and place to hear the request from John Dzedzic to establish a digital print shop in his home at 3543 Cole Road.

Second: David Nussbaumer

Carried: Unanimously

**SET PUBLIC
HRG: S.A.W.
ENVIRON-
MENTAL**

2. Set Public Hearing Date – S.A.W. Environmental Special Use Permit Application

Motion by Michael Lambrix to set August 24, 2000 at 8:15 PM at the Village Hall as the time and place to hear the request from S.A.W. Environmental for a soil remediation project on Jeffery Road.

Second: David Nussbaumer

Carried: Unanimously

AGENDA ITEMS

**RESOLUTION:
CWSRF APPL –
NORTH SEWER
DISTRICT**

1. Resolution - Clean Water State Revolving Fund Application

Motion by Mr. Lambrix to approve the following resolution:

WHEREAS, The Town of Palmyra herein called the “Borrower”, after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the project generally described as: the Division Street Sanitary Sewer Project and identified as CWSRF Project Number(s) C8-6403-01-00, herein called the “Project”, is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987 (as such may be amended from time to time, the “Water Quality Act”), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

WHEREAS, the State of New York has, pursuant to the State Water Pollution Control Revolving Fund Act, Chapter 565 of the Laws of New York 1989, as amended (the “CWSRF Act”) established in the custody of the New York State Environmental Facilities Corporation (the “Corporation”) a water pollution control revolving fund (the “Fund”) to be used for purposes of the Water Quality Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, being Chapter 744 of the Laws of 1970, as amended, and constituting Title 12 or Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

WHEREAS, the CWSRF Act authorizes the establishment of a program for financial assistance for planning, design and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY the Palmyra Town Board as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.

- 2. The following person is directed and authorized as the official representative of the Borrower to execute and deliver an application for CWSRF assistance, to execute and deliver the Project Financing and Loan Agreement and any other documents necessary to receive financial assistance from the Fund for the Project, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Borrower as may be required:

David C. Lyon Supervisor

- 3. The official designated above is authorized to make application for financial assistance under the CWSRF Program for either short-term or long-term financing or both.
- 4. One (1) certified copy of this Resolution shall be prepared and sent to the **New York State Environmental Facilities Corporation, 50 Wolf Road, Room 508, Albany, New York 12205-2603.**
- 5. This Resolution shall take effect immediately.

Second: Lynne Green Carried: Unanimously

2. Award Construction Bid – North Sewer District

**RESOLUTION:
NORTH SEWER
DISTRICT -
AWARD BID**

Motion by David Nussbaumer as follows:

WHEREAS, the Town of Palmyra solicited bids for Division Street Sewer Improvements, and four bids were received and opened on July 20, 2000, and

WHEREAS, the four bids were tabulated by MRB Group, P.C., and

WHEREAS, on the basis of the recommendation of MRB Group, P.C., it is

HEREBY RESOLVED, that the bid for the Division Street Sewer Improvements be awarded to Randsco Pipeline, Inc. for a low bid of \$654,250, and

BE IT FURTHER RESOLVED, that David C. Lyon, Supervisor, be authorized to sign the notice of award on behalf of the Town of Palmyra.

Second: Michael Lambrix Carried: Unanimously

3. Resolution: Bond Anticipation Note – North Sewer District

Motion by David Nussbaumer to approve the following

resolution:

WHEREAS, the Town of Palmyra has been authorized to issue Serial Bonds in the amount of \$300,000 by a Bond Resolution issued January 27, 2000, and

WHEREAS, the Town of Palmyra anticipates receiving funds from the Clean Water State Revolving Fund within twelve (12) months, and

WHEREAS, the bids for construction of the improvement for the North Sewer District have been awarded and funds will be needed to commence construction,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Palmyra shall reissue Bond Anticipation Notes/or Revenue Anticipation Notes in an amount not to exceed \$300,000 for a period of one year with the option to prepay, and

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Palmyra shall be authorized to negotiate the most favorable terms available from HSBC, and

BE IT FURTHER RESOLVED, that the Town officials are hereby authorized to sign any and all papers necessary to complete the borrowing authorization.

Second: Michael Lambrix

Carried: Unanimously

**RESOLUTION:
NORTH SEWER
DISTRICT BOND
ANTICIPATION
NOTE**

4. Resolution – SARA Records Retention and Disposition Schedule MU-1

Mrs. Green moved to approve the following resolution:

RESOLVED, by the Town Board of the Town of Palmyra that *Records Retention and Disposition Schedule MU-1*, issued pursuant to Article 57-A of the Arts & Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) only those records will be disposed of that are described in *Records Retention and Disposition Schedule MU-1* after they have met the minimum retention periods described therein;

**RESOLUTION:
ADOPT SARA
RETENTION
SCHEDULE MU-1**

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Second: David Nussbaumer

Carried: Unanimously

**SARA WKSHP
PARTICIPATION
APPROVAL**

5. Approval to send Deputy Town Clerk to SARA Workshop

David Nussbaumer made a motion to approve sending a Deputy Town Clerk to the NYS SARA workshop on indexing minutes in Hopewell, NY on September 7, 2000 at a cost to include mileage and lunch only.

Second: Lynne Green

Carried: Unanimously

Mrs. Green also expressed interest in attending this workshop, and the Deputy Town Clerk was directed to register two participants.

**RESOLUTION:
SIGN LGRMIF
GRANT
ACCEPTANCE
FORM**

6. Resolution – Authorize Supervisor to sign LGRMIF grant acceptance form

Lynne Green made a motion to approve Supervisor Lyon to sign the grant acceptance form & return same to New York State, indicating the Town’s agreement to participate in the 2000-2001 Grant for the purpose of indexing Town Board minutes.

Second: Michael Lambrix

Carried: Unanimously

**HEALTH
OFFICER
APPOINTMENT**

7. Health Officer Appointment

Supervisor Lyon made a motion to appoint Dr. Anin Patel, 525A East Main Street, Palmyra, as the Town’s Health Officer for a term to run July 27, 2000 to December 31, 2000, due to the resignation of Dr. Alan Lorenz from the position.

Second: Lynne Green

Carried: Unanimously

8. Set Public Hearing Date – Local Law 1 of 2000

Michael Lambrix made a motion to set Thursday, August 27, 2000 at 8:30 PM at the Village Hall as the time and date to hold a Public Hearing on proposed Local Law 1 of 2000, also known as the Sewer Use Law.

**SET PUBLIC
HRG DATE –
LOCAL LAW 1
OF 2000**

Second: Michael Lambrix

Carried: Unanimously

David Nussbaumer moved to approve payment of the claims and expenditures as listed on vouchers #603-688 with a total of \$86,317.10, as shown on Abstract #7.

**ABSTRACT #7
PAYMENT OF
CLAIMS**

Second: Michael Lambrix

Carried: Unanimously

At 8:45 PM James Welch made a motion to go into Executive Session to discuss possible litigation.

**MTN TO GO
INTO
EXECUTIVE
SESSION**

Second: Lynne Green

Carried: Unanimously

At 8:55 PM Supervisor Lyon declared the Board out of Executive Session.

**DECLARATION
OUT OF
EXECUTIVE
SESSION**

At 8:55 PM Michael Lambrix moved to adjourn this meeting of the Town Board.

**MTN TO
ADJOURN**

Seconded by: James Welch

Carried: Unanimously

Respectfully submitted,

Catherine C. Contant
Deputy Town Clerk