

**PUBLIC HEARING  
HYDESVILLE ROAD WATER SYSTEM IMPROVEMENTS**

The Public Hearing scheduled for Thursday, March 27, 2003 at the Palmyra Town Hall, Palmyra, New York to consider the creation of the Hydesville Road Water System Improvements project in cooperation with the Town of Arcadia was called to order at 7:34 PM by Town Supervisor David Lyon.

**PUBLIC HRG –  
HYDESVILLE RD  
WATER SYSTEM  
IMPROVEMENTS**

Those present at this public hearing:

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

Also present at this public hearing:

Robert Grier, Palmyra Code Enforcement Officer  
Nelson F. Cook, Palmyra Highway Superintendent  
Gil and Sharon Mayo, 2316 Hazen Lane, Newark 14513  
Tom Adams, *Courier-Journal* reporter  
Steve Smoot, representing The Palmyra Inn  
Ann Guest, Pal. American Legion, 147 Washington St., Palmyra  
Peter Campbell, Pal. American Legion, 313 Birdsall Pkwy., Palmyra  
Kenneth F. Miller, East Foster St., Palmyra

The Town Clerk read the Legal Notice and Supervisor Lyon opened the hearing up to the public.

**LEGAL NOTICE**

**ORDER  
TOWN BOARD SCHEDULING PUBLIC HEARING  
ON THE ESTABLISHMENT OF THE  
HYDESVILLE WATER DISTRICT**

**LEGAL NOTICE  
ORDER:  
SCHEDULE  
PUBLIC HEARING  
ON ESTABLISH.  
HYDESVILLE  
WATER  
DISTRICT**

A map, plan and report have been prepared in a manner and detail as determined by the Town Board of the Town of Palmyra, regarding the establishment of a proposed Water District in the eastern area of the Town.

The map, plan and report have been filed in the Town Clerk's Office in the Town.

The map, plan and report were prepared by MRB Group, P.C., a competent engineer, licensed by the State of New York, showing the boundaries of the proposed Hydesville Water District, a general plan of the water system and a report of the proposed methods of operation.

The map shows the course and distances and proposed size of the transmission lines, together with the location and a general description of all public works required, including lands and easements to be acquired.

The boundaries of the proposed district are all as shown on Schedule "A" attached hereto and made a part hereof.

The improvements proposed are as follows:

Installation of 8,600 feet of 12" watermain and 2,200 feet of 6" watermain with hydrants, taps, valves, etc.

The proposed method of financing the costs of the improvement consists of the issuance of serial bonds of the Town to mature in annual installments over a period not exceeding 38 years, payable in the first instance from assessments levied on benefited real property in the proposed Extension to the Central Water District.

The maximum amount proposed to be expended for the improvement and for the acquisition of the necessary lands and easements is \$434,600. The Town will apply for a Small Cities Grant and a Rural Development Grant which the Town believes it is eligible to receive.

The proposed expense for the average single-family residence in the district is \$583 per year (includes average cost of water consumption). In addition, the average single-family residence shall pay an installation charge of \$1,250. All residences connected thereafter shall pay a connection charge as established by the Town from time to time.

The map, plan and report describing the improvement are on file in the Town Clerk's Office for public inspection.

This Board will hold a public hearing to consider the map, plan and report on March 27, 2003 at 7:30 P.M. at the Palmyra Town Hall, 1180 Canandaigua Road in the Town of Palmyra, New York.

This Order shall take effect immediately.

Dated: February 27, 2003

Gil and Sharon Mayo, 2316 Hazen Lane, stated that they had turned in a letter in support of the project, citing their desire for better quality of water, and not running out of water as a few of the reasons for their interest in the project.

**PUBLIC HRG.  
CLOSED**

Hearing no other people in support of or speaking against the water project, Supervisor Lyon declared the public hearing closed at 7:40 p.m.

At this point, Supervisor Lyon decided to invite Ann Guest and Pete Campbell, representing the James Hickey Post 120 Palmyra American Legion, to come forward with their special request of the Town Board.

They announced that they are presenting to servicemembers' families in the Palmyra area a banner with a red border and a blue star in the center on a white background. Legion members give this token as a visible expression of support which families can hang in the windows of their homes with pride. These presentations are made one family at a time. All Legion posts in New York state have the capability to do this and the response from the families is very positive. They are also asking community members to let them know if there are more servicemembers' families in the village or town which they can take banners to. They are also ordering posters reading: "We support our troops" for conspicuous places around town.

**PRESENTATION  
BY AMERICAN  
LEGION  
REPRESENTA  
TIVES**

Legion representatives were in attendance to ask the Town Board to back their "Blue Star Banner" project and to propose a resolution supporting our nation's fighting troops.

Next, Steve Smoot, who represents the developers and investors of the proposed Palmyra Inn motel to be located on Route 21 South, updated the board on the progress of the project. He brought maps and sketches, saying the motel has been upgraded from 40 rooms to 53 rooms. The design shows meeting rooms suitable for workshops, receptions and conferences, with a serving area where local caterers can bring food to service the gatherings. In order to stay on schedule, ground is expected to be broken in late Spring or early Summer. Target completion date is in March 2004.

**PALMYRA INN  
MOTEL  
PROJECT  
UPDATE TO  
BOARD**

The building itself and driveway should take up about 2 ½ acres. In addition, there is planned landscaping with a retention basin which should improve area drainage. The brick façade will have pillars, in keeping with the Colonial design of buildings in the area and with historic context.

## **REGULAR MEETING OF THE TOWN BOARD**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, March 27, 2003, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, was called to order at 8:00 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:

**ROLL CALL**

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

Also present at this meeting:

Robert Grier, Palmyra Code Enforcement Officer  
Nelson F. Cook, Palmyra Highway Superintendent  
Gil and Sharon Mayo, 2316 Hazen Lane, Newark 14513  
Tom Adams, *Courier-Journal* reporter  
Steve Smoot, of Salt Lake City, Utah, representing Palmyra Inn  
Ann Guest, Pal. American Legion, 147 Washington St., Palmyra  
Peter Campbell, Pal. American Legion, 313 Birdsall Pkwy.,  
Palmyra  
Kenneth F. Miller, East Foster St., Palmyra

**MTN: APPROVE  
MINUTES OF  
FEB. 27, 2003**

Motion was made by David Nussbaumer to approve the minutes of the February 27, 2003 meeting of the Town Board. Seconded by Michael Lambrix. Voting was unanimous.

**COMMUNICA  
TIONS****COMMUNICATIONS**

1. Press Release about the Wayne County Master Plan:

Announcement of upcoming meetings and of web site. For detailed information about the county Master Plan, go to [www.co.wayne.ny.us](http://www.co.wayne.ny.us) click on "departments" and then click "Planning Department." Public invited to meetings. Input of ideas encouraged.

2. Senator Schumer's request for Economic Stimulus Act of 2003:

Fax was received from Senator Schumer's office with a sample letter to the Senate Finance Committee in support of the (Schumer/Snowe) "State and Local Aid and Economic Stimulus Act of 2003" to help local governments. By signing the sample letter, Supervisor Lyon showed support for "immediate, short term economic stimulus which would help local governments address some...difficult problems." It was faxed back to Senator Schumer's office.

3. Department of Transportation approval of Lusk Road residents' request:

Two letters were received this month from the NYS Dept. of Transportation approving the town's request to lower the speed limit on Lusk Road to 40 mph, and a Notice of Action Taken form to be returned to the DOT indicating when the work is completed.

4. Landmark Society of Western NY Regional Preservation Conference announcement:

To take place April 5, 2003, in Albion. No board members indicated they would attend.

5. Letter from Phillips, Lytle, Hitchcock, Blaine & Huber, LLP, attorneys in Rochester:

They state that a resident had difficulty with her mortgage company not paying her school taxes out of an escrow account. These were eventually relieved onto her county taxes. The attorneys request names of local taxpayers who have experienced this problem with this company. Town Clerk to answer request. Letter noted and filed.

6. Senator Schumer's letter about FEMA's *Assistance to Fire fighters Grant Program*:

The date for the applications to be filed has been delayed in the Federal Emergency Management Agency's (FEMA) grant program. He also notes that grant writing workshops have been held all over the state. The Town Clerk will send the Palmyra, East Palmyra and Port Gibson Fire Departments a copy of this letter. Letter noted and filed.

7. Wayne Co. Quality Coordinating Committee local grants:

Local water quality grants specifically for (a) septic system maintenance, (b) agricultural facilities, (c) marine pump-outs, and (d) stormwater management are available through the county Water Quality Coordinating Committee. The deadline to apply for a grant is April 30, 2003. The Town Clerk's office has the application forms and information flyers concerning these grants.

8. The Union Agricultural Society at Palmyra information about Wayne County Fair Parade participants:

Letter received wants to know if Town officials are interested in participating in the Wayne County Fair Fireman's Parade on

Friday, August 15, 2003. An informal poll was taken of town board members and it was determined that we would participate in the parade. The Town Clerk will respond to the request.

9. Time Warner Cable's *Year in Review*:

A copy of the *2002 Year in Review* was distributed to all town board members for their information.

10. "*Early East Palmyra*" historical presentation:

It was announced that "*Early East Palmyra*," a free historical presentation sponsored by the East Palmyra Fire Department, and presented by Palmyra Historian Beth Hoad, is scheduled for Saturday, April 12, 2003 at the East Palmyra Fire Hall. Potluck supper starts at 5:30 p.m.—bring a dish to pass, and the program starts at 6:45 p.m.

11. Assessor's Report:

ASSESSOR'S  
REPORT

The March 27, 2003 report to the town board from the assessor's office was noted and filed. A copy of the report is attached to these minutes and available at the Town Clerk's office.

WAYNE CO. ALS  
SERVICES & 911  
ANNUAL  
REPORTS

12. Wayne County ALS Services Annual Report—2002 and Wayne County 911 Annual Report—2002:

The annual reports for the 2002 Wayne County Advanced Life Support (ALS) Services and for the 2002 Wayne County 911 were received from James Lee, E-911 Coordinator. Copies of these reports are available at the Town Clerk's office.

## REPORTS OF STANDING COMMITTEES

### Highway Committee – Michael Lambrix, Chair

HIGHWAY  
COMMITTEE  
REPORT

1. Highway Committee Update:

Palmyra Highway Superintendent Nelson Cook updated the board on his department's activities. They have removed all snow fences because it appears that Spring is right around the corner. His crew is now working to get the equipment for the season ready to use. His locker room project is progressing also, and he uses that as a rainy day job.

## 2. Annual Palmyra Municipal Auction:

Superintendent Cook requested the board's approval to sign the contract for the upcoming annual municipal auction, scheduled this year for May 17<sup>th</sup>, at the Town Barns on Kent Street. Our commission for this event brings in up to \$15,000 each year to the town's coffers. He reminded the board that the auctioneers carry their own liability insurance and are licensed and bonded. A copy of the agreement is attached to these minutes. Motion to approve signing contract with Roy Teitsworth, Inc., Professional Auctioneers was made by Michael Lambrix. It was seconded by David Nussbaumer. Voting was unanimous.

**ANNUAL HWY  
MUNICIPAL  
AUCTION**

**MTN: APPROVE  
CONTRACT WITH  
AUCTIONEER**

## 3. Request for Training Seminar:

Superintendent Cook wanted to have some members of his department attend a training seminar at Cornell University in May. There were no openings left in the seminar, so he requested permission from the town board to try to set up a workshop here at the Town Hall. He proposes a one-day seminar with topics such as surveying, ditching, laying culvert piping, etc. Our department as well as departments in area towns have new employees who could benefit from this information and felt this might meet that need. He envisions it sometime in July of August of this year. The board felt it was an idea worth pursuing and advised him to see if he could arrange it, and to get back to them once something is in place.

**REQUEST FOR  
TRAINING  
SEMINAR FOR  
HWY DEPT.**

## Planning Committee – James Welch, Chair

### Planning Board Resignation:

Motion by Committee Chairman James Welch to accept the resignation of Kenneth Miller from the Planning Board. Seconded by Michael Lambrix. Carried: Unanimously

**MTN: ACCEPT  
RESIGNATION  
OF KENNETH  
MILLER FROM  
THE PLANNING  
BOARD**

Committee Chair Welch personally thanked Ken Miller for his years of service to the Planning Board. The sentiment of appreciation was echoed by other board members.

## Zoning Committee – David Nussbaumer, Chair

### CEO Update:

An update of the activities of the Code Enforcement Officer for the month of March, 2003 was provided for board members. Bob Grier reports that the new computer software package is now

online and he has had training already. Hearing no comments or questions from board members, the calendar update was noted and filed.

Grier also said he was turning in a \$5,700 reimbursement for code-related software and education, which should offset all of his software purchases and training for 2003. He also noted that he and Dan Wooden are in their annual in-service training this week.

Michael Lambrix wanted to follow up on the number of cars which will be allowed to be displayed on the Infinity Solutions property on Route 31 East. Grier said there is more space than one would think, and that he and the business owner have measured it out and are in agreement.

### **AGENDA ITEMS**

1. Appointment of new member to fill Town Board vacancy:

**MTN: APPOINT  
KENNETH  
MILLER TO FILL  
VACANCY ON  
TOWN BOARD**

David Nussbaumer made the motion to appoint Kenneth F. Miller to fill the vacancy on the Palmyra Town Board left by the resignation of Lynne Green on November 30, 2002. This appointment would be effective through 2003. Michael Lambrix seconded the nomination and the voting was unanimous.

Ken Miller was invited to join the Town Board at the front of the meeting room and to actively participate in the board meeting. He was also asked to sign the Oath of Office book in the Town Clerk's office.

2. Appointment of new member to fill Planning Board vacancy:  
↳

**MTN: APPOINT  
NEIL GATES TO  
FILL VACANCY  
ON PLANNING  
BOARD**

Motion was made by James Welch to appoint Neil Gates to fill the Planning Board vacancy left by Ken Miller. Neil had submitted a request with a resume of his qualifications which he feels will benefit the Planning Board. Motion was seconded by David Nussbaumer. Voting was unanimous. Councilmember Miller voted aye.

3. Resolution to support the U.S. military troops and the Blue Star Banner program by the local American Legion:

Feeling that the Hickey Post 120 Palmyra Chapter of the American Legion's Blue Star Banner program is a fitting way for our town to demonstrate its support for the area servicemembers and their families, Michael Lambrix moved the following resolution:



*"BE IT RESOLVED that the Town Board of the Town of Palmyra does hereby recognize and sincerely appreciates the contributions made by our military servicemembers, reservists and National Guard members as they serve to protect our country in these difficult times."*

**RESOL: IN SUPPORT OF THE LOCAL AMERICAN LEGION'S BLUE STAR BANNER PROGRAM TO FAMILIES OF SERVICE MEMBERS, RESERVISTS & NATIONAL GUARD MEMBERS**

Councilmember Nussbaumer seconded the motion and voting was unanimous.

- 4. Local Law 2003 No. 1: Amending Local Law No. 4 for 1999 and Local Law No. 2 for 2000—Set Public Hearing Date:

Motion by David Nussbaumer to set Thursday, April 24, 2003 at 8:00 PM at the East Palmyra Fire Hall, as the date, time and place to hold a Public Hearing to consider Local Law 2003 No. 1: Amending Local Law No. 4 for 1999 and Local Law No. 2 for 2000. (This is a sewer ordinance changing and updating previous sewer ordinances.) Motion was seconded by Michael Lambrix and carried unanimously.

**TOWN OF PALMYRA  
WAYNE COUNTY, NEW YORK STATE  
LOCAL LAW 2003 No. 1**

**MTN:  
APPROVE  
LOCAL LAW  
2003 No. 1  
PUBLIC  
HEARING  
DATE**

**"A Local Law Amending Local Law No. 4 for the Year 1999 and Local Law No. 1 for the Year 2000"**

***BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF PALMYRA***

**Section 1** That Local Law No. 4 for the Year 1999 entitled, "A Local Law Establishing Sewer Use Rents" as amended by Local Law No. 1 for the Year 2000 is hereby amended as follows:

- 1. That Section 2, entitled "Charges" is hereby amended to read as follows:

**Section 2. Charges.** *The sewer use rent for each property will include a basic charge plus an amount computed on the water consumed on the property as determined by metered flow of water to the property and a standby charge as set forth below. The rate established from the effective date of this Local Law shall be as follows:*

- A. 1. *That the rate shall be \$3.50 per 1,000 gallons of water or part thereof used in each quarter for the first five hundred thousand (500,000) gallons. Water use above the first five hundred thousand (500,000) gallons in any quarter shall be at the rate of Three Dollars (\$3.00) per 1,000 gallons.*
- 2. *The minimum rate charged for any quarter shall be \$35.00, the equivalent of ten thousand (10,000) gallons of water consumed or part thereof.*

*B. Residential Additional Rent--Standby Charge.*

*1. Residential units connected to the sewers, where sewers have been constructed and there is no debt in the district shall pay per unit the sum of Two Hundred Forty Dollars (\$240) per unit per year. The charge shall be divided into four equal installments of Sixty Dollars (\$60) and said sum shall be added to the quarterly sewer bill and paid when due.*

*2. Residential units connected to the sewers in an existing sewer district and sewer district extension, where the sewer collection system has not been constructed and/or has been completed, but the district or extension has unpaid debt for the construction, shall pay whatever annual amount per unit is calculated as necessary to amortize the debt incurred for construction of the sewer system. The amount that each unit is to pay is determined by dividing the number of residential units and if applicable, the commercial/industrial units required to pay a stand-by charge, into the annual cost to amortize the debt in each calendar year. In no event shall the annual amount to be paid be less than Two Hundred Forty Dollars (\$240). That amount calculated for each year shall be paid in equal quarterly installments. The sum, so calculated, shall be added to the sum found to be due under subparagraph 2A or 2C herein. The quarterly installment sum shall be added to the quarterly sewer bill and paid when due.*

*C. Commercial and industrial users and large residential users where there are no individual kitchen or cooking facilities shall be charged a unit charge pursuant to a contract which considers the amount and strength of waste discharged and the original capital contributions made by the commercial or industrial user or large residential user to the construction of the sewer improvements that are dedicated to the Town.*

*D. Multi-family residential units located in the same building shall pay the equivalent of a ½ residential unit charge for each one-bedroom apartment and a ¾ residential unit charge for each two-bedroom apartment. Apartments with more than two bedrooms will be charged a full rate.*

*E. Billing of the Sewer Use Rents shall be made at the same time as regular town billing of water rents and if there is a water bill, the Sewer Use Rents will be mailed with the water bill. Billing quarters shall commence on the 1<sup>st</sup> day of March, June, September and December in each calendar year.*

2. Section 5, entitled "New Connections" is hereby amended to read as follows:

**Section 5. New Connections.** *Any premises upon which a new building is constructed or being constructed and which is connected to the sewer system shall be liable for the sewer rent charge 120 days from the date of issuance of the building permit or the date of occupancy, whichever occurs first.*

3. Section 7, entitled "Connection Fees" is hereby amended to read as follows:

**Section 7. Connection fees.** *Connection fees to the Town Sewer System shall be charged as follows:*

A. *Residential Units:*

1. *In the year the sewer system is being constructed and prior to completion of the sewer system, the connection charge to connect to the sewer system shall be One Thousand Two Hundred Fifty Dollars (\$1,250.00).*

2. *The connection charge for each unit after completion of construction shall be One Thousand Five Hundred Fifty Dollars (\$1,550.00).*

3. *The connection charge entitles the unit to be connected to the sewer collection system. The cost of connecting the residential unit from the street line to the unit is the cost of the unit owner and not covered by the connection fee. All connections from the street line to the unit shall be installed according to codes or rules then in effect. Once connection is complete, any existing waste disposal system shall be pumped and then properly closed.*

B. *Commercial/Industrial Units:*

*The connection charge shall be based on the size of the connection necessary to serve the commercial/industrial user, but shall not be less than the connection charge to connect a residential unit. Commercial/Industrial users who have paid the Town an agreed price prior to construction shall not be charged a connection fee for all buildings erected or whose plans have been approved at the time the pre-construction payment is computed.*

4. Section 9, entitled "Use of revenues" is hereby amended to read as follows:

**Section 9. Use of revenues.** *Revenues derived from sewer rents shall be credited to a special fund to be known as the "Sewer Fund." Monies in such fund shall be used only in the manner and for the purposes specified and in the order required by Sewer Rent Law of the State of New York.*

5. Section 10, entitled "Lien for Unpaid Sewer Rent" shall be **added** to read as follows:

**Section 10. Lien for Unpaid Sewer Rent.** *The Town shall have a lien for unpaid sewer rent and any unpaid amount shall be added to the next Town tax bill pursuant to the applicable laws and rules.*

**Section 2.** *If any provision of the local law is inconsistent with any other local law, act, rule or regulation, then the provisions of this local law shall be controlling.*

**Section 3.** This local law shall take effect immediately upon filing in the office of the Secretary of State.

5. First Aid Kit for the Town Hall:

**MTN: PURCHASE  
FIRST AID KIT  
FOR TOWN HALL**

A brochure from Zee Medical Service Co. was passed around to Board members which shows several First Aid kits in steel cabinets fully stocked with First Aid supplies. Model 160 was deemed the best value for the money, and is currently on sale. Motion was made by Michael Lambrix and seconded by David Nussbaumer to purchase Model 160 First Aid kit at the sale price of \$99.95, which includes the cabinet, fully stocked with supplies, and installation. Zee Medical Service Co. also services the First Aid kit located at the Highway Garage. Its representative makes a regular circuit, checking to see that kits are fully stocked and that all medicine is not outdated. (Some items in our current First Aid kits expired in 1990.) We will take the items in our two small First Aid kits, dispose of the expired items, and combine remaining items into the new kit. Voting was unanimous.

6. "May is for Merchants" Month resolution:

Request was received from the Village to add the Town Board's support to a resolution to highlight local merchants in May. It is intended as a "clean up/spruce up" campaign prior to the arrival of the bulk of our tourists. The resolution will also be included in the Small Cities grant application for low-cost loans to area businesses. The resolution uses "community" rather than "village" in certain wording, so it will include both "village" and "town."

**Village of Palmyra**

**Resolution in Support of the Merchants of Palmyra**

**RESOL: "MAY IS  
FOR  
MERCHANTS"**

WHEREAS, it is universally believed that business provides the lifeblood of a community, and

WHEREAS, the Village of Palmyra, holding that belief, has supported the Merchants of Palmyra through the establishment of the Economic Support Committee and its predecessor, the Economic Development Committee, and

WHEREAS, the Village has seen fit to establish an Economic Task Force to increase the business base within the community, and

WHEREAS, the Village is participating in the preparation of a Small Cities Grant application to enhance the vitality of the village business community, and

WHEREAS, the Village Board has indicated its support of local participation in the Wayne County Empire Zone program,

NOW THEREFORE, BE IT RESOLVED that the Village of Palmyra Board, in its capacity as the governing body of the Village of Palmyra, does hereby declare:

**"MAY IS FOR MERCHANTS" MONTH.**

Approved by the Village Board, Palmyra, NY  
March 3, 2003

Motion was made by Michael Lambrix that the Town Board, representing the residents and business owners of the town, support the "May is for Merchants" resolution adopted by the Village Board, and to wish them well in accomplishing their goal of encouraging local business establishments. Motion was seconded by David Nussbaumer. Voting was unanimous.

**MTN: APPRV  
RESOL-- "MAY  
IS FOR  
MERCHANTS"**

**7. Archives Plan (Storage Requirements) 2003-2004**

Deputy Town Clerk Elizabeth (Betsy) Alderman Lewis has completed a town Archives Plan for 2003-2004 and submitted it for approval. It is entitled: "Archives Plan (Storage Requirements) 2003-2004," dated March 2003. It addresses access and storage needs for (a) Minutes and other record books, (b) Vital Statistics Books, and (c) Burial Permits. Betsy estimates a cost of \$719.30-\$969.30 for Phase I of the plan and \$310.75 (+unknown amount at this time for scanning costs) to complete Phase II. Discussion centered around whether there were funds available for this plan, why each section is dated, and why microfilming as well as CD burning is included. Supervisor Lyon stated there are funds for what is planned for this year. Clerk Green noted that dates are approximate, reflecting "target dates" for completion, but that each section may take more or less time depending on availability during the work day. She added that in next year's budget, funds should be included for work on Phase II, if this plan is approved. Explanation of CD burning is best used for transcription of very old records. In this way, the old, fragile originals do not have to be handled, but that the information may be accessed on the CDs. At this point, CDs do not have an estimated long-term shelf life. Microfilming is the most stable and longest lasting of record preserving. It is used mostly for photographing complete pages—including handwritten information, diagrams, old photographs or daguerreotypes, maps, etc. The range of estimated costs is due to currently unknown costs for microfilming.

**ARCHIVES  
PLAN  
(STORAGE  
REQUIREMENTS)  
2003-2004**

Motion was made by David Nussbaumer to approve the Town Archives Plan for 2003-2004, with the stipulations that the cost not exceed \$970 for 2003, and that this would be for town records only. It was seconded by Michael Lambrix, and passed unanimously by the rest of the board.

**MTN: APPRV  
TOWN  
ARCHIVES  
PLAN FOR  
2003-2004**

## 8. Palmyra advertisement in NYS Canal Cruising Guide:

**MTN: APPRV  
PYMT OF  
TOWN'S HALF  
OF AD IN CANAL  
CRUISING GUIDE**

We received a check from the village for \$192.50--its half of the quarter-page advertisement which Palmyra town/village is running in the New York State Canal Cruising Guide. The ad includes dates for local events which are of interest to boating visitors: Hill Cumorah Pageant, Wayne County Fair and Canaltown Days for the next few years. Motion was made by David Nussbaumer and seconded by Michael Lambrix to approve payment of \$192.50 for the town's half of the \$385 ad. Voting was unanimous.

## 9. Quote from Stuart I. Brown Associates for completion of Palmyra Master Plan:

**MTN: APPROVE  
TOWN'S HALF  
OF FEE TO  
COMPLETE  
PALMYRA  
MASTER PLAN**

Stu Brown has provided a quote for his consultant services to the town and village to complete the final steps in the long-awaited Palmyra Master Plan. The quote of \$13,940 is to be divided equally between the village and the town. According to village board meeting minutes of 3/5/2003, the Board of Trustees approved a motion to pay its half of the fee.

Motion was made by Michael Lambrix and seconded by James Welch to pay the town's half of the fee to Stuart I. Brown Associates to complete the Master Plan. Voting was unanimous.

## 10. Renew agreement with village for Town Court Room:

**RENEW  
AGREEMENT  
WITH VILLAGE  
FOR TOWN  
COURT ROOM  
SPACE IN  
VILLAGE HALL**

Town Clerk Green had submitted to the Village Clerk a copy of the current agreement between the town and the village for space to be used by the Town Court. The agreement was made April 6, 1998, starting on January 1, 1998, and ending December 31, 2003 for a payment by the town to the village of \$4,000 per year.

**MTN: APPROVE  
AGREEMENT  
WITH VILLAGE  
FOR THREE YRS**

Mayor Daly sent Clerk Green an email in which she stated that the village Board of Trustees appear willing to extend the current contract with one change. The request was that it be for only three years. The Town Board felt the change was reasonable. David Nussbaumer made the motion to approve the agreement with the village for the next three years at \$4,000 per year for town court room space. James Welch seconded the motion. Voting was unanimous.

11. Schedule Public Informational Meeting and Presentation on Motel project:

To follow up on Steve Smoot's information at the beginning of the meeting, Michael Lambrix made the motion that we schedule a Public Information Meeting and Presentation on Thursday, April 24, at 8:15 p.m., at the East Palmyra Fire Hall, so that the townspeople will be able to see what is planned, learn about the progress of the project, and to ask questions. The motion was seconded by James Welch. Voting was unanimous.

**MTN:  
SCHEDULE  
PUBLIC INFOR-  
MATIONAL  
MTG FOR  
MOTEL  
PROJECT**

12. Garnsey-Shilling Area Water District Lateral Restrictions Resolution:

New York State Department of Agriculture and Markets has determined that the Garnsey-Shilling Area Water District "would not have an unreasonably adverse impact on the continuing viability of farming in the district," according to Stuart I. Brown, with the condition that the town board approve a "Lateral Restrictions Resolution" limiting certain types of connections to the watermains:

**TOWN OF PALMYRA  
GARNSEY-SHILLING AREA WATER DISTRICT  
LATERAL RESTRICTIONS RESOLUTION**

**RESOL:  
GARNSEY-  
SHILLING  
AREA WATER  
DISTRICT  
LATERAL  
RESTRICTIONS**

WHEREAS, the Town Board of the Town of Palmyra has created the Garnsey-Shilling Area Water District pursuant to Town Law for the express purpose of providing public water supply to residents along portions of Shilling, Lusk, Harris, Goldsmith, and Garnsey Roads;

WHEREAS, part of the land area within the Garnsey-Shilling Area Water District is also within Wayne County Agricultural Districts No. 3 and No. 4; and

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action Within an Agricultural District and to evaluate the impact of providing a source of public water supply within this area on lands within Agricultural Districts No. 3 and No. 4; and

WHEREAS, the New York State Department of Agriculture and Markets has expressed concern about the potential adverse impact that said public water supply is likely to have on agriculture within the Agricultural Districts,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra, in recognition of the concerns that have been raised, hereby resolves to limit connections to the public water supply only to existing non-farm uses and to farm related uses within that portion of Garnsey-Shilling Area Water District which is also within the limits of Wayne County Agricultural Districts No. 3 and No. 4.

COUNTY OF WAYNE)  
STATE OF NEW YORK) SS:  
TOWN OF PALMYRA)

I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted by the Palmyra Town Board on the 27<sup>th</sup> day of March, 2003.

Dated at Palmyra, New York  
March 27, 2003  
Lyndall Ann P. Green  
Town Clerk of the Town of Palmyra

**MTN: APPROVE  
RESOLUTION  
GARNSEY-  
SHILLING AREA  
WATER  
DISTRICT  
LATERAL  
RESTRICTIONS**

Motion was made by James Welch and seconded by David Nussbaumer that the Lateral Restrictions Resolution for the Garnsey-Shilling Area Water District be approved. Voting was unanimous.

13. Hydesville Road Water Extension:

a. Approve negative declaration, as there is no evidence for any impact:

**RESOLUTION  
HYDESVILLE ROAD WATER PROJECT ENVIRONMENTAL  
IMPACT**

**RESOL:  
HYDESVILLE RD  
WATER PROJ.  
ENVIRONMENTL  
IMPACT**

WHEREAS, the Town of Palmyra is participating in an Inter-municipal Agreement with the Town of Arcadia to serve areas with water in both towns which are outside of existing water districts and any village, and

WHEREAS, each Town is creating its own Water District, and  
WHEREAS, the Town of Palmyra, to the extent necessary, does hereby declare itself the lead agency for the purpose of compliance with the State Environmental Quality Review Act as required to create a Water District and thereafter construct the infrastructure in the Water District, and

WHEREAS, the Town Board has caused an Environmental Assessment Form to be prepared, and

WHEREAS, the Town Board has reviewed the Environmental Assessment Form prepared for the Inter-municipal Project,

NOW, THEREFORE, be it resolved that only to the extent necessary, the Town Board decides as follows for the purpose of the creation of the District:

1) That the creation of the Water District is an action covered by the State Environmental Quality Review Act.

2) That upon information and belief, this is a Type 1 action.

3) That based on the coordinated review of the project as found by the Town Board of the Town of Arcadia and the Negative Declaration made by the Town of Arcadia on March 25, 2003, and the review of the Environmental Assessment Form filed in this proceeding, the creation of the Water District and the approval of any



financing relevant thereto and the installation of the infrastructure will result in no major impacts and therefore will not cause significant damage to the environment.

4) That the Town Board shall therefore issue a Negative Declaration and, if required, shall distribute it and publish as required by law.

5. That this Resolution shall take effect immediately.

Motion was made by David Nussbaumer and seconded by Michael Lambrix to approve the Resolution: Hydesville Road Water Project Environmental Impact (Negative Impact Declaration), as there is no evidence for any impact. Voting was unanimous.

**MTN:  
APPROVE  
RESOLUTION  
HYDESVILLE  
RD WATER  
PROJ.  
ENVIRONMNTL  
IMPACT**

b. Resolution creating the Hydesville Water District in the Town of Palmyra:

**RESOLUTION OF TOWN BOARD ESTABLISHING A DISTRICT**

**RESOLUTION  
ESTABLISHING  
HYDESVILLE  
RD WATER  
DISTRICT**

A meeting of the Town Board of the Town of Palmyra was held at the Town Hall at 1180 Canandaigua Road in the Town on March 27, 2003 at 7:30 P.M. on the matter of the establishment of the Hydesville water district in the Town of Palmyra, pursuant to Article 12A of the Town Law.

A map, plan and report relating to the establishment of the proposed water district, prepared by MRB Group, P.C., competent engineers, licensed by the State of New York, in the manner and detail required by the Town Board has been filed with the Town Clerk of the Town of Palmyra, in accordance with the requirements of Article 12A of the Town Law.

On February 27, 2003, an order was adopted by the Town Board reciting the filing of the map, plan and report, the boundaries of the proposed district, the improvements proposed, the estimated expense of these improvements, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office for public inspection and all other matters required by law to be stated.

The order set March 27, 2003, at 7:30 P.M. at the Town Hall at 1180 Canandaigua Road in the Town to consider the map, plan and report and to hear all persons interested in this matter and to take action as required by law.

The order was published and posted as required by law.

A hearing on the matter was held by the Town Board on March 27, 2003, beginning at 7:30 P.M., and the matter was fully discussed and all interested persons were heard.

Upon the evidence given at the hearing and upon a motion made and seconded, the following resolution was unanimously adopted:

It is hereby determined that:

(a) The notice of hearing was published and posted as required by law, and is otherwise sufficient.

(b) All the property and property owners within the proposed district are benefited thereby.

(c) All the property and property owners benefited are included within the limits of the proposed district.

(d) The establishment of this district is in the public interest.

(e) That the proposed district is outside of the Village of Palmyra and any existing district.

IT IS FURTHER RESOLVED, that the district, as set forth in the map, plan and report be approved, that the requested improvements be constructed, and that the necessary easements and lands be acquired, upon the required funds being made available and provided for, and

IT IS FURTHER RESOLVED, that this district shall be known as the Hydesville Water District in the Town of Palmyra and shall be bounded and described as follows:

**SCHEDULE A.  
DESCRIPTION OF HYDESVILLE WATER DISTRICT**

**SCHEDULE A  
DESCRIPTION  
OF  
HYDESVILLE  
WATER  
DISTRICT**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Palmyra, County of Wayne and State of New York, bounded and described as follows:

**COMMENCING** at the intersection of the east line of the Town of Palmyra with the centerline of the Hydesville Road. Thence,

1) Southerly along the east line of the Town of Palmyra to its intersection with the north bank of Ganargua Creek; Thence,

2) westerly along the north bank of Ganargua Creek to a point where it intersects with the east line of the Central Water District; Thence,

3) Northerly along the east line of the Central Water District to the centerline of Newark-Marion Road - Hydesville Road; Thence,

4) Along the centerline of the Hydesville Road and north line of the Central Water District to a point in the centerline of Hydesville Road (Newark-Marion Road) where it intersects with the northwest corner of the Central Water District; Thence,

5) Northeasterly 500' to a point; Thence

6) Southerly and easterly in a straight line along the north line of the proposed district which line is 500' north of the centerline of Hydesville Road to a point due north of the northwest corner of tax map parcel no. 66112-00-962753; Thence,

7) Due south to the northwest corner of tax map parcel no. 66112-00-962753; Thence

8) Easterly along the north line of tax map parcel no. 66112-00-962753 to the centerline of Cambier Road; Thence

9) Southerly along the centerline of Cambier Road to its intersection with the north line of tax map parcel no. 66112-00-982734; Thence

10) Easterly along the north line of tax map parcel no. 66112-00-982734 and tax map parcel no. 67112-00-004721 and continuing easterly to the southwest corner of tax map parcel no. 67112-00-060752; Thence

11) Northerly along the west line of tax map parcel no. 67112-00-060752 and 67112-00-063824 to the northwest corner of that parcel; Thence

12) Easterly along the north line of tax map parcel no. 67112-00-063824 to the west line of tax map parcel no. 67113-00-070013; Thence,

13) Northerly along the west line of tax map parcel no. 67113-00-070013 300' to a point; Thence

14) Easterly and parallel to the south line of tax map parcel no. 67113-00-070013 to the east line of said parcel; Thence

15) Southerly along the east line of tax map parcel no. 67113-00-070013 and tax map parcel no. 67112-00-125799 to the southeast corner of the latter parcel; Thence

16) Westerly along the south line of tax map parcel no. 67112-00-125799 to its intersection with the east line of tax map parcel no. 67112-00-107748; Thence

17) Southerly along the east line of tax map parcel no. 67112-00-107748 and 67112-00-108713 to its intersection with the north line of tax map parcel no. 67112-00-129663; Thence

18) Easterly along the north line of tax map parcel no. 67112-00-129667 to its northeast corner; Thence

19) Southerly along the east line of tax map parcel no. 67112-00-129663 to a point 300' north of the centerline of Hydesville Road; Thence

20) Easterly to the northwest corner of tax map parcel no. 67112-00-188626 and continuing along the north line of said parcel to the northeast corner of said parcel; Thence

21) Easterly in a straight line to the east town line of the Town of Palmyra; Thence

22) Southerly along the east town line of the Town of Palmyra to the point and place of beginning.

IT IS FURTHER RESOLVED, that the proposed improvement, including construction costs, cost of acquisition of lands and easements, legal and engineering fees, and all other expenses, be financed by the issuance of serial bonds in an amount not to exceed \$434,600 of the Town to mature in a number of annual installments not exceeding thirty-eight (38) years as may be determined by the Town Board, the cost of constructing the Water District to be assessed by the Town Board as close proportion to the benefit to which each lot or parcel will derive from the improvement as is possible, and

IT IS FURTHER RESOLVED, that this Resolution is subject to permissive referendum as provided in Town Law Section 209-e, in the manner provided in Article 7 of the Town Law, and

IT IS FURTHER RESOLVED, that the following improvements in said district be constructed upon the required funds being made available or provided for.

The Town of Palmyra purchase and install 8,600 lineal feet of 12" water main, 2200 lineal feet of 6" water main, hydrants, distribution pipes and storage facilities within the proposed district to service a majority of the residents in the district and to acquire the necessary property to make the improvements, and

IT IS FURTHER RESOLVED, that the proposed improvements including the cost of right of ways, constructions costs, legal fees and other expenses shall be financed as follows:

That a maximum amount be expended not to exceed \$434,600.00. That the improvements be financed by Small Cities Grant and Rural Development Grant in the amount of \$370,000.00, and that the balance be financed by several bonds providing for amortization of the balance of the cost of said improvements with interest for a period of not more than thirty-eight (38) years, and

IT IS FURTHER RESOLVED, that the future operation and

maintenance of the proposed water improvements will be taxed by charges to property owners in the area within the proposed district on an ad valorem/benefit basis to be determined, and

IT IS FURTHER RESOLVED, that the connection fee for connections to the water system shall not exceed \$1,500.00, and

IT IS FURTHER RESOLVED, that this Resolution is subject to a permissive referendum as provided in Town Law Section 209E in the manner provided in Article 7 of the Town Law, and

IT IS FURTHER RESOLVED, that the Town Clerk shall cause to be published and posted in the Town notice that the above Resolution was adopted pursuant to a permissive referendum as provided in Article 12A of the Town Law in the manner provided in Article 7 of the Town Law, and

IT IS FURTHER RESOLVED, that in the event a petition is not received as required by law requiring a referendum, the Town Clerk shall prepare a certificate "that a petition was not received" suitable for filing with the County and Town and the New York State Office of the State Comptroller, and

IT IS FURTHER RESOLVED, that within 10 days of the expiration of the period to file a petition for a referendum, if no petition for a referendum is filed, the Town Clerk shall file with the New York State Office of the State Comptroller in Albany, New York the following:

Two (2) certified copies of the resolution creating the district subject to a referendum.

Motion to approve the Resolution establishing the Hydesville Water District was made by Michael Lambrix and seconded by David Nussbaumer. Voting was unanimous.

c. Resolution to provide local share of cost of constructing improvements:

**MTN: APPROVE  
RESOLUTION  
ESTABLISHING  
HYDESVILLE RD  
WATER  
DISTRICT**

**RESOLUTION  
HYDESVILLE WATER DISTRICT**

**PRESENT:**

- David Lyon, Supervisor
- David Nussbaumer, Councilman
- Michael Lambrix, Councilman
- James Welch, Councilman
- Kenneth Miller, Councilman

**RESOLUTION TO PROVIDE THE LOCAL SHARE OF THE  
COST OF CONSTRUCTING THE IMPROVEMENTS TO SERVE  
HYDESVILLE WATER DISTRICT**

The following Resolution was offered by Councilman Kenneth Miller, who moved its adoption, seconded by Councilman David Nussbaumer, to wit:

WHEREAS, the Town Board has duly adopted a Final Order providing for the establishment Hydesville Water District in the Town of Palmyra, Wayne County, New York; and

**RESOLUTION  
TO PROVIDE  
LOCAL SHARE  
OF  
CONSTRUCTION  
COSTS FOR  
HYDESVILLE  
WATER DIST.**

WHEREAS, the Town Board has heretofore commissioned a Preliminary Engineering Evaluation to determine a solution to resolve the existing water supply and water quality problems along the Hydesville Road and adjacent areas in the Town of Palmyra and the Town of Arcadia; and

WHEREAS, the proposed engineering solution includes the installation of a water transmission line that would extend along Hydesville Road and interconnect the existing water supply systems within the Town of Palmyra and Town of Arcadia; and

WHEREAS, the respective Town Boards of the Town of Palmyra and Town of Arcadia have agreed to work together to solve the water supply problems facing residents in this area and have agreed to file a Joint Small Cities Application for a Grant in the amount of \$600,000 for the correction of these water supply deficiencies, of which Grant monies the sum of \$250,000 will be allocated to the cost of the improvements to be made within the Town of Palmyra; and

WHEREAS, the respective Town Boards have previously authorized each Supervisor to apply for loan and grant funds through the USDA Rural Development Program in an amount not to exceed \$665,000 to provide the balance of the financial resources necessary to complete the proposed project, of which monies the sum of \$184,600 will be allocated to the cost of the improvements to be made within the Town of Palmyra; and

WHEREAS, the respective Town Boards plan to adopt resolutions to create individual water districts in each Town consistent with the regulations and provisions of the Town Law to provide the legal entities necessary for the distribution of water to residents of the affected areas; and

WHEREAS, the total cost of undertaking the proposed improvements is estimated at \$1,265,000, including the construction, legal, engineering and administrative costs; and

WHEREAS, the maximum amount proposed to be expended for such improvements in connection with the establishment of the Town of Palmyra Water District is estimated at \$434,600,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Palmyra, Wayne County, New York, as follows:

1. The Town Board hereby commits that it will provide \$184,600 in funds, together with any overruns that may be incurred, to construct the proposed water system improvements within the Town of Palmyra, as recommended in the Preliminary Engineering Analysis referenced herein, including the construction of 10,800 linear feet of water mains and the purchase of a supply of water from the Wayne County Water and Sewer Authority to address the problems and eliminate the deficiencies evidenced by poor water quality and poor water associated with the private wells now servicing the affected properties located in Hydesville Water District.

2. The Town Board hereby further commits that the local share of the costs of constructing the necessary water system improvements are to be provided by the issuance of serial general obligation bonds (and bond anticipation notes in anticipation thereof) to be issued by the Town Board consistent with applicable laws of

the State of New York, or through loan and grant funding from the USDA Rural Development Program if the aforesaid application filed with said Agency is approved.

3. This Resolution shall take effect immediately. The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

**MTN: APPRV  
RESOLUTION  
TO PROVIDE  
LOCAL SHARE  
OF  
CONSTRUCTN  
COSTS FOR  
HYDESVILLE  
WATER DIST.**

David Lyon, Supervisor	VOTING	Aye
David Nussbaumer, Councilman	VOTING	Aye
Michael Lambrix, Councilman	VOTING	Aye
James Welch, Councilman	VOTING	Aye
Kenneth Miller, Councilman	VOTING	Aye

The Resolution was thereupon declared duly adopted.  
Lyndall Ann P. Green  
Palmyra Town Clerk

d. Bond Resolution authorizing issuance of serial bonds to pay for Hydesville Water District project:

**LEGAL NOTICE  
TOWN OF PALMYRA**

**PLEASE TAKE NOTICE** the Resolution published herewith has been adopted on the 27th day of March, 2003, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Palmyra is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

Elizabeth Alderman Lewis  
Deputy Clerk of the Town of Palmyra

**BOND RESOLUTION DATED MARCH 27, 2003.**

**BOND  
RESOLUTION:  
AUTHORIZING  
CONSTRUCTION  
AND ISSUANCE  
OF SERIAL  
BONDS FOR  
HYDESVILLE  
WATER DIST.**

**A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A  
WATER DISTRIBUTION SYSTEM TO SERVE HYDESVILLE WATER  
DISTRICT IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW  
YORK, AND AUTHORIZING THE ISSUANCE OF \$434,600 SERIAL  
BONDS OF SAID TOWN TO PAY THE COST THEREOF**

**WHEREAS**, by proceedings heretofore duly had and taken pursuant to Article 12A of the Town Law, the Town Board of the Town of Palmyra, Wayne County, New York, has duly established the Hydesville Water District in said Town; and

**WHEREAS**, it is now desired to authorize the construction of the improvements proposed for said Water District and provide for the financing thereof in accordance with said proceedings;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Palmyra, Wayne County, New York, as follows:

Section 1. The construction of the improvements proposed for the Hydesville Water District in the Town of Palmyra, Wayne County, New York, consisting of a water distribution system, including water main, storage facilities, distributing pipes and hydrants, with appurtenant facilities, substantially in accordance with the map and plan accompanying the petition for said District, is hereby authorized at a maximum estimated cost of \$434,600 (Exhibit 1)

Section 2. The plan for the financing of such maximum estimated cost consists of a joint application for a Small Cities Grant with the Town of Arcadia and an application for a U.S. Department of Agriculture Rural Development Grant and the issuance of \$434,600 of serial bonds of said Town hereby authorized to be issued therefore pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 40 years, pursuant to Subdivision 2, Paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed 5 years.

Section 4. The faith and credit of said Town of Palmyra, Wayne County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same become due and payable. There shall annually be assessed upon all the taxable real property in said Hydesville Water District at the same time and in the same manner as other Town charges, an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds may be contested only if:

1. Such bonds are authorized for an object for purpose for which said Town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
3. Such bonds are authorized in violation of the provisions of the Constitution.

Section 7. This resolution, which takes effect immediately, shall be published in full in the Courier Journal, the official newspaper, together with a Notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**MTN: APPRV  
BOND  
RESOLUTION  
AUTHORIZING  
CONSTRUCTN  
AND ISSUANCE OF  
SERIAL BONDS  
FOR HYDESVILLE  
RD WATER  
DISTRICT**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor David Lyon	Voting aye
Councilman, Michael Lambrix	Voting aye
Councilman, James Welch	Voting aye
Councilman, David Nussbaumer	Voting aye
Councilman, Kenneth Miller	Voting aye

The resolution was thereupon declared duly adopted.

**I hereby certify** that the above is a true and exact copy of the resolution pertaining to the authorizing the construction of a water distribution system to service the Hydesville Area Water District in the Town of Palmyra, Wayne County, New York, and authorizing the issuance of \$434,600 Serial Bonds of said Town to pay the cost thereof on file in the Office of the Town Clerk of the Town of Palmyra.

Dated at Palmyra, NY  
this 27th day of March, 2003  
Lyndall Ann P. Green  
Palmyra Town Clerk

**MTN: APPROVE  
ABSTRACT # 50**

Motion by Michael Lambrix to approve the claims and expenditures as shown on Abstract #50 as follows:

Voucher #s	Total
3887 - 3988	\$ 119,497.32

Second: David Nussbaumer                      Carried: Unanimously

**NAMING NEW  
COUNCILMAN  
MILLER TO HEAD  
NEW STANDING  
COMMITTEE:  
BUILDINGS &  
GROUNDS**

Supervisor Lyon named the newly-appointed town councilman, Kenneth Miller, to head up a new board standing committee: buildings and grounds. To begin with, he would focus on the Town Hall, working with Bob Grier, Lynne Green and Dave Lyon, specifically looking at the usage of the building, its maintenance, and ways to keep the building more secure—to oversee the building on the town's behalf--because various community groups use the facility. Councilman Miller will meet with Grier, Green and Lyon for this purpose.

**MTN TO ADJOURN**

Motion at 8:59 PM by David Nussbaumer to adjourn this meeting of the Town Board.

Second by: Michael Lambrix                      Carried: Unanimously

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk