

PUBLIC HEARING
KEVIN WRIGHT – SPECIAL USE
Wright’s Tire Service and K & D Disposal

The Public Hearing scheduled to be held on Thursday, March 25, 1999 at the Palmyra Fire Hall, East Main Street, Palmyra, to consider the application of Kevin and Dawn Wright, 816Garnsey Road, Palmyra, to operate Wright’s Tire Service and K & D Disposal Service at their property on Garnsey Road, was called to order at 7:30 PM.

CALL TO ORDER

The proof of publication, as published in the Courier-Journal, was read by the Town Clerk.

LEGAL NOTICE READ

Those present at this public hearing, in addition to the Board members, included the following:

- Kevin & Dawn Wright
- Jane Henry
- Mark & Kathy Hedges
- Irene Unterborn & Kathy Wooden – Economic Development
- Nelson F. Cook, Highway Department
- Gordon P. Wheeler
- Joe Burm

Supervisor Lyon asked Kevin Wright to explain to those present what he is doing out there. Mr. Wright explained that his tire business is mostly on-road service; only occasionally does someone actually come to him for service at his garage. He said that as far as the K & D Disposal goes, he stores the trucks and equipment in his garage; there is no dumping on his property at all.

Gordon Wheeler – Kevin is a good neighbor; place is always in good shape; all around good guy.

Jane Henry – Agrees with what Mr. Wheeler just said.

Unidentified gentleman – Always a neat and clean shop.

Frank Koeberle – Agrees with all the statements that have been made.

David Nussbaumer – Where do you dump? Wright – At Seneca Meadows or High Acres; mostly Seneca Meadows.

Michael Lambrix – What do you do with your scrap metal?

Wright – It all goes to Alpco in Macedon. Lambrix – Are you going to store it at your garage until you get a load? Wright – I take it up as soon as I get a pickup truck load and that doesn't take any time at all. Lambrix agreed that Mr. Wright does do a good job.

At this time the Town Clerk read the following Wayne County Planning Board recommendation into these minutes:

WAYNE CTY
PLNG BOARD
RECMNDATN
READ

Robert Grier, ZEO
T. Palmyra
201 East Main Street
Palmyra, New York 14522

Re: Wright's Tires, K&D Disposal

Dear Mr. Grier:

At its meeting on February 24, 1999 the Wayne County Planning Board reviewed the above referenced referral and recommenced Approval of the Special Permit for operation of the two current businesses with the condition that an agricultural data statement is completed. The board would need more information, including site plan detail, for consideration of the proposed transfer operation.

If you have any questions regarding this determination, please don't hesitate to contact me.

Sincerely,
Bret DeRoo
Sr. Planner

The following excerpt from the Town of Palmyra Planning Board

Minutes dated March 8, 1999 was read into these minutes:

PALMYRA PLNG
BOARD REC
READ

Item #1: Kevin & Dawn Wright; Special Use Permit for Wright's Tire Service and K & D Disposal.

Hearing called to order at 7:03 PM

The recommendation from the Wayne County Planning Board was read. There was some discussion concerning the idea of a weekend transfer station. The board felt as did the WCPB that more information would be needed to get any recommendation on that aspect of the application. After further discussion K. Wright sated that he would not pursue the transfer station at this time. The board had no further questions.

MOTION: K. Miller made a motion to recommend approval of the application for a Special Use Permit for

two businesses: Wright's Tire Service and K & D Disposal.

2nd: L. Kaller.

VOTE: Unanimous

The board felt that both businesses would be an asset to the Town and they did not feel that the businesses would have any adverse affects on the surrounding area.

Hearing ended at 7:13 PM.

At this time Supervisor Lyon again asked if there were any comments or questions regarding this Special Use Permit.

There being none, he declared this public hearing closed at 7:40 PM.

PUB HEARING CLOSED

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REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, March 25, 1999 at the Palmyra Fire Hall, East Main Street, Palmyra, was called to order at 7:40 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 Supervisor - David C. Lyon
- Town Board Members - David Nussbaumer
- Lynne Green
- Michael Lambrix
- James Welch

David Nussbaumer moved to approve the minutes of the February 25, 1999 Town Board Meeting as submitted.

MTN TO APV MINUTES OF 2/25/99

Seconded by: Michael Lambrix Carried: Unanimously

COMMUNICATIONS

1. Wayne County Fair Committee – Parade Information
2. The Church of Jesus Christ of Latter Day Saints – RE: Pageant Cast Team Community Service project
3. Vacation request from Robert Grier, ZEO
4. 1999 Crop Walk Information

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

- 1. Assessor Update

No report at this time.

- 2. Approval of computer training - \$75.00

MTN TO APV
COMPUTER
TRAINING
E. HERMAN
ASSESSOR'S
OFFICE

Lynne Green moved to approve Elaine Herman, Clerk to the Assessor, attend a 6 hour computer training class at a cost not to exceed \$75.00.

Seconded by: David Nussbaumer Carried: Unanimously

Highway Committee - David Nussbaumer, Chairman

- 1. Approval of computer training - \$75.00

MTN TO APV
COMPUTER
TRAINING
K. YANTZ
HIWY DEPT.

David Nussbaumer moved to approved a computer training class for Karen Yantz, Secretary to Highway Superintendent, at a cost not to exceed \$75.00.

Seconded by: Michael Lambrix Carried: Unanimously

- 2. Motion to rescind a motion from the meeting of 3/25/99

MTN TO
RECIND A
MTN FROM
2/25/99

David Nussbaumer moved to rescind the following motion that was duly moved and carried at the February 25,1999 meeting of the Town Board:

“David Nussbaumer moved to go along with Mr. Cook’s recommendation and purchase the Tandem Axle Cab & Chassis (2000 Model) without a trade in, from Beam Mack Sales & Service, Inc., 2674 W. Henrietta Road, Rochester, NY, 14623-2399, for a cost not to exceed \$70,300.00.

Seconded by: Michael Lambrix Carried: Unanimously”

SECOND
WITHDRAWN

Seconded by: Michael Lambrix, who also withdrew his second.

Carried: Unanimously

- 3. Motion to authorize purchase of cab & chassis

MTN TO APV
PURCHASE
OF CAB 7
CHASSIS
W/TRADE IN

David Nussbaumer then moved to approve the purchase of a Tandem Axle Cab & Chassis (2000 model) with trade in, from Beam Mack Sales & Service, Inc., 2674 W. Henrietta Road, Rochester, NY, 14623-2399, for a cost not to exceed \$52,800.00.

Seconded by: Michael Lambrix Carried: Unanimously

- 4. Motion to authorize the hiring of Tom Fraser at Highway Dept. – 4/5/99

David Nussbaumer moved to approve the hiring of Tom Fraser, Trolley Road, Palmyra, NY by the highway department, at a rate of \$10.02 per hour and for Mr. Fraser to begin April 5, 1999.

MTN TO APV
HIRING OF T.
FRASER FOR
HIWY DEPT.

Seconded by: Michael Lambrix Carried: Unanimously

- 5. Authorize the borrowing of monies for the sweeper in the amount of \$45,863.00

David Nussbaumer moved the following resolution:

TOWN OF PALMYRA

COUNTY OF WAYNE, STATE OF NEW YORK

A Resolution authorizing the issuance of a Budget Note in the amount of \$50,000 pursuant to Section 29.00 of the Local Finance Law to pay a portion for the purchase of a street cleaning machine.

MTN TO APV
BORROWING
OF MONIES
FOR HIWY
DEPARTMENT

WHEREAS, the Town of Palmyra, authorized the amendment of the Town Budget to purchase a street cleaning machine with a useful life of five (5) years; and

WHEREAS, the amount raised by taxes in the year 1999 was insufficient to pay the purchase price of the street cleaning machine; and

WHEREAS, the Town, after investigations, determined that it was less expensive to acquire the street cleaning machine and issue a Budget Note, than to lease the street cleaning machine for one year; and

WHEREAS, THE Town wishes to authorize the borrowing of \$50,000 at an interest rate not to exceed 3.85% per annum to finance the balance of the cost of the street cleaning machine.

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

- 1. That the Town of Palmyra shall issue a Budget Note in a principal amount not to exceed \$50,000 which note shall bear interest at 3.85% per annum on the unpaid principal balance and shall by its terms be due and payable on or before February 20, 2000.
- 2. That the Town Board finds as follows:
 - A. That the street cleaning machine to be purchased has a useful life of five (5) years as determined by Section 11 of the Local Finance Law.
 - B. That the Budget Note is issued for a purchase, or which a

serial bond could be issued.

- C. That the Budget Note will be redeemed in the year in which it matures.
- D. That an installment of not less than 50% shall mature in the first fiscal year, succeeding the fiscal year in which the notes are issued.
- E. That the Budget Note shall mature not later than the last day of the second fiscal year.
- F. That the faith and credit of said Town of Palmyra, Wayne County, New York are hereby irrevocably pledged to the payment of the principal and interest in such Budget Note as the same become due and payable.
- G. That subject to the provisions of the Local Finance Law, the power to authorize the issuance of a Budget Note and sell the same is hereby delegated to the Supervisor, the chief fiscal officer. Such Budget Note shall be of such terms, form and conditions and shall be sold in such manner as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.
- H. That the amount of this Budget Note does not exceed five percent (5%) of the amount of the annual budget.
- I. That the validity of said Budget Note may be contested only if:
 - 1) Such note is authorized for an object or 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 in action, suit or proceeding contesting such validity is commencing within twenty (20) days after the date of such publication , or
 - 3) Such bonds are authorized in violation of the provisions of the Constitution.

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.

Seconded by: Michael Lambrich Carried: Unanimously

Planning Committee - James Welch, Chairman

1. CEO Update

Robert Grier, CEO, had prepared a calendar of the month of March with everything he had done each day shown on it.

CEO UPDATE

Zoning Committee - Michael Lambrix, Chairman

1. Special Use Change – Morrison – Gravel Pit on Division Street – Set Public Hearing date

Michael Lambrix moved to set a Public Hearing date of Thursday, April 22, 1999 at 8:00 PM at the East Palmyra Fire Hall, East Palmyra, New York.

MTN TO SET
PUBLIC
HEARING DATE
FOR MORRISON
CHG OF USE

Seconded by: David Nussbaumer Carried: Unanimously

At this time, Supervisor Lyon declared this board in recess in order for Cathy Wooden and Irene Unterborn to address the board regarding a "Spring Fling" being planned for Palmyra by the Economic Development Corporation.

RECESS
DECLARED

Supervisor Lyon declared this meeting of the Town Board back into session.

MTG DECLARD
BACK IN
SESSION

AGENDA ITEMS

1. Awarding the bids on the water tank project

MRB, Town Engineers, had not completed reviewing the bids on this project, therefore, the awarding of the bid cannot be done until the April 22, 1999 meeting.

AWARDING OF
BIDS ON WTR
TANK PRJCT

2. Economic Development Corporation

David Nussbaumer moved to take \$100 from the Celebrations account to give to the Economic Development Corporation to help defray the cost of their "Spring Fling" event.

MTN TO APV
\$100 TO GO TO
ECONOMIC
DEVELOPMENT
CORP.

Seconded by: Michael Lambrix Carried: Unanimously

3. Special use – Kevin Wright – Subject of Public Hearing

Michael Lambrix moved to approve the Special Use of the application of Kevin and Dawn Wright, Garnsey Road, Palmyra,

MTN TO APV
SPECIAL USE
KEVIN & DAWN
WRIGHT

to operate a Tire Business and K & L Disposal from their property on Garnsey Road, Palmyra, with no transfer station and for conditions to be set forth by the Zoning Committee.

Seconded by: David Nussbaumer Carried: Unanimously

MTN TO APV COMPUTER TRAINING HICKMAN & REGIS

4. Approval of Computer Training - \$150.00

David Nussbaumer moved to approve computer training for Beverly Hickman, Town Clerk, and Sue Anne Regis, Deputy Town Clerk at a cost not to exceed \$150.00.

Seconded by: Lynne Green Carried: Unanimously

5. Resolution describing the duties of the Deputy Town Clerks

RESOLUTIN DESCRIBNG DUTIES OF DEPUTY TOWN CLERKS

Lynne Green moved to authorize any and all Deputy Town Clerks to perform the duties entrusted to the Town Clerk, with the exception of the signing of the checks which is described in the Organizational Meeting at the beginning of each year, in the Town Clerk's absence for any reason and at any time.

Seconded by: Michael Lambrix Carried: Unanimously

6. Set Public Hearing date for Proposed Local Law #1 of 1999 entitled "Sewer Use Law of the Town of Palmyra, New York"

MTN TO SET PUBLIC HEARING FOR PROPOSED LL #1 OF 1999 SEWER USE...

Michael Lambrix moved to set a public hearing date of Thursday, April 22, 1999 at the East Palmyra Fire Hall, East Palmyra, at 8:30 PM to consider proposed Local Law #1 of 1999 entitled "Sewer use Law for the Town of Palmyra, New York."

Seconded by: Lynne Green Carried: Unanimously

Following a review of the claims and expenditures,

MTN TO APV PAYMENT OF EXPNDITRS

Michael Lambrix moved to approve payment of the expenditures as shown on Abstract #3 with totals as follows:

<u>Account</u>	<u>Invoice #</u>	<u>Amount</u>
General	78-120	\$ 24,984.58
Part Town	36-52	\$12,073.99
DA Highway	71-120	\$158,893.08
DB Highway	11-13	\$ 990.24
Water Tank Project	5	\$ 18,825.00

Seconded by: David Nussbaumer Carried: Unanimously

David Nussbaumer moved to adjourn this meeting of the
Town Board.

MTN TO
ADJRN

Seconded by: Michael Lambrix

Carried: Unanimously

Respectfully submitted,

Beverly E. Hickman
Town Clerk