

PUBLIC HEARING
 GARY JOHNSTON'S RV CENTER, INC.
 SPECIAL AUTHORIZATION TO EXPAND THE OFFICE SPACE
 AS WELL AS INCREASE PARKING OF RECREATIONAL VEHICLES

The Public Hearing scheduled to be held on Thursday, May 14, 1998 at the Palmyra Town Office, 201 E. Main Street, Palmyra, NY, to consider the application for special authorization of Gary Johnston's RV Center, Inc., 2311 Rt. 21 N, Palmyra, was called to order at 8 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

Nancy Storr, 1377 Hammond Road
 Aaron Johnston, Johnston's RV Center, Inc.
 Angela Dart, 875 Canandaigua Road
 Rosemary Fredericksen, 1020 Canandaigua Road
 Arthur S. Daughton, 1 South Town Line Road
 Dwight Hargrave, 7 Foster Ave., Clifton Springs
 Shelly Hargrave, " " " "
 Aleta Williamson, Hammond Road
 Dave Williamson, Hammond Road
 Peter Holden, Rt. 21 N
 Don McGinn, Hammond Road
 Patty Diaz, 1124 Canandaigua Road
 Francis Rush Sr., 1133 Canandaigua Road
 Robert Grier, CEO, Town of Palmyra
 Nelson F. Cook, Highway Superintendent, Tn of Pal

The legal notice, as published in the Courier-Journal, was read by the Town Clerk.

Supervisor Lyon asked Aaron Johnston to explain to those present exactly what he would like to do. Mr. Johnston stated that his business is growing and he needs more space to park the vehicles, more office space and more space for storage of parts. The way things are right now he has to move vehicles around 5 or 6 times in order to have them in the proper places at the proper time.

Lynne Green stated that she had been by his place and could fully understand why he needed more room.

Supervisor Lyon asked Robert Grier, CEO, if the conditions on the first special authorization had been met. Mr. Grier told him that all but two conditions were met; and those were the gate requested by this

board and the trees he was supposed to plant. Aaron Johnston told the board that he has made arrangements to have the trees planted next week. He has been deliberately waiting to install the gate in case he can obtain this extra property; it will be done prior to July 1, 1998 however.

Peter Holden asked Mr. Johnston to show him on the map where the RV's will be parked. Mr. Johnston showed him the area on the map marked with slashes (////) and stated that this is the parking area. He said that if this goes thru and he is able to purchase the property in question, he is going to combine the two properties into one.

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Supervisor Lyon asked about the setbacks from Rt. 21. Mr. Grier told him the setbacks are marked on the map.

Supervisor Lyon asked if there were any more questions. There were none.

The Town Clerk then read the following referral from the Wayne County Planning Board into these minutes:

Robert Grier, ZEO
 Town of Palmyra
 201 East Main Street
 Palmyra, NY 14522

Re: Gary Johnston's RV Center
 2177 Marion Road
 Tax Map Ref. No: 331112-00-048545, 135530
 Special permit

Dear Bob:

At its regular meeting on April 29, 1998, the Wayne County Planning Board reviewed the above referenced referral and recommend its approval.

If you have any questions concerning this decision, please do not hesitate to contract me.

Sincerely,
 James Coulombe
 Sr. Planner

The following recommendation from the Palmyra

Planning Board was read into these minutes:
 (Excerpt from minutes - page 3 of 4)

Item #6: Special use Permit for Gary Johnston's RV Center

Hearing called to order at 8:26 PM.

B. Baker commented that the property in question was very large for the small amount of use proposed and he asked if units will be moved from existing business property to the new property. K. Miller stated that he understood that the new property would be used for outside storage of new units and customers RVs. The submitted site plan shows the area to be used and the number of units to be stored.

MOTION: K. Miller made a motion to recommend approval of the application to the Town Board with the following stipulation:

- 1. The outside storage of RV units be limited to the area shown on the submitted site plan.

2nd: L. Kaller

VOTE: Unanimous

Supervisor Lyon asked Michael Lambrix, James Welch and Robert Grier to put together the conditions for this special authorization. He then declared this public hearing closed at 8:32 PM.

PUB HEARING
CLOSED

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PUBLIC HEARING
DWIGHT & SHELLY HARGRAVE
SPECIAL AUTHORIZATION TO HAVE A PET GROOMING
AND BOARDING FACILITY

The Public Hearing scheduled to be held on Thursday, May 14, 1998 at the Town Office, 201 East Main Street, Palmyra, to consider the application of Dwight and Shelly Hargrave, 7 Foster Avenue, Clifton Springs, NY, for special authorization to the Zoning ordinance of the Town of Palmyra, to have a pet grooming and boarding facility at 1400 Hammond Road, Palmyra, (after purchasing said property) was called to order at 8:33 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

The legal notice, as published in the Courier\Journal, was read by the Town Clerk.

Supervisor Lyon asked the Hargraves to describe what they want to do out there. The Hargraves first handed out biographies to those present. They stated that they would like to continue to do the same work that Aleta Williamson has been doing. They said that Aleta has done a great job; everything seems to be in

tip-top condition.

Supervisor Lyon asked for any comments or questions regarding this application.

Don McGinn - Will you be enlarging?

Supervisor Lyon - They will be going into a already established business and parameters have already been set regarding size.

Don McGinn - Is this a yearly permit? Supervisor Lyon - No, it goes as long as the applicant owns the property; we do check on any complaints at any time however. Don McGinn - Do they have to come back in front of the Town Board if there are complaints?

Robert Grier, CEO - No, complaints come to me and it is my responsibility to look into the problems.

Supervisor Lyon asked if there were any more comments or questions regarding this applications. There being none he asked the Town Clerk to read the following recommendation from the Wayne County

Planning Board:
Robert Grier, ZEO
Town of Palmyra
201 East Main Street
Palmyra, New York 14522

Dear Bob:

At its regular meeting on April 29, 1998, the Wayne County Planning Board reviewed the following referral and determined to have no intermunicipal or countywide impact.

Dwight & Shelly Hargrave
1400 Hammond Road
Tax Map Ref. No: 32111-00-795560
Special permit - continue operation of existing kennel after moving to property

The Board recommended this referral be returned to the Town to be handled as a local matter. If you have any questions regarding this determination, please don't hesitate to call.

Sincerely,
James Coulombe
Sr. Planner

Aleta Williamson, present owner of said kennel, explained to the Board that, if this is approved, she is going to have Mrs. Hargrave work with her to help ease the transition. She also stated that, of course, this is all contingent upon the sale of the Hargrave's

home in Clifton Springs.

Supervisor Lyon then asked that the following recommendation from the Palmyra Planning Board be read into these minutes:

(Excerpt from minutes - Page 3 of 4)

Item #7: Special Use Permit for Hargrave's Dog Boarding and Grooming.

Hearing called to order at 8:45PM

It was explained that the Hargrave's were purchasing the property on Hammond Road now owned by Dean and Aleta Williamson. The Hargrave's would like to continue the dog boarding and grooming business that the Williamson's received a Special use permit for.

MOTION: L. Kaller made a motion to recommend approval of the application to the Town Board.
2nd: B. Baker
VOTE: Unanimous

The Hearing was closed at 8:50PM.

Supervisor Lyon again asked if there were any questions or comments regarding this application. There being none, he declared this public hearing closed at 8:47 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, May 14, 1998 at the Town Office, 201 East Main Street, Palmyra, was called to order at 8:56 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

Town Board members present upon roll call, included the following:

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 April 23, 1998 Town Board meeting as submitted by the Town Clerk.

MTN TO APV
MIN OF
4/23/98

Seconded by: Michael Lambrix Carried: Unanimously

COMMUNICATIONS

- 1. Letter from Palmyra Economic Development
RE: Second annual "May Festival"
- 2. Letter from James R. Hickey Post No. 120
RE: Memorial Day Observance
- 3. Information from NYS Office of the State
Comptroller, Division of Municipal Affairs
RE: Teleconference entitled "Keys to
Responsible Government: The Budget and the
Town Board"
- 4. Letter from NYS Dept. of State REy- Federal
Safe Drinking Water Act (SDWA) - Videoconfer-
ences
- 5. Letter from US Senator Alfonse M. D'Amato -
RE: Paul T. Freund Corp./ Economic
Development Project
- 6. Finger lakes Conference - Planning Shared
Community Facilities - My 27 - BAM
- 7. Letter of Resignation of Ron Jones

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

No report at this time.

Highway Committee - David Nussbaumer, Chairman

- 1. Declare surplus equipment

David Nussbaumer moved to declare the following items as surplus equipment to be sold at the auction:

- 1 - 10" snow wing
- 2 - 12" snow wings
- 7 - 235R16 tires
- 200 - sign posts

Seconded by: Michael Lambrix Carried: Unanimously

MTN TO DECLARE
SURPLUS
EQUIPMENT

- 2. Cable TV Update

David Nussbaumer and Edwin Wheeler attended the last meeting; there will be another meeting held on may 26, 1998. The committee would like to go for a twenty year contract if possible. Copies of the draft contract were given to each board member to look over.

CABLE TV
UPDATE

Planning Committee - James Welch, Chairman

James Welch informed the board that he had recently attended a Planning Board Meeting and things are relatively quiet at the moment; there are plans for three new homes however.

ORAL RPT

Zoning Committee - Michael Lambrix, Chairman

- 1. Gary Johnston's RV Center, Inc. -
Special Authorization - Subject of
Public Hearing

The following resolution was moved by Michael Lambrix:

MTN TO APV
SPEC AUTH FOR
JOHNSTON'S
RV CENTER

At the regular meeting of the Town Board, Town of

Palmyra, held on Thursday, May 14, 1998, the following resolution was duly moved by Michael Lambrix:

WHEREAS, on the 14th day of May, 1998, a Public hearing was held at the Town Office, 201 East Main Street, Palmyra, to consider the application of Johnston's RV Center, 2311 Marion Road, Palmyra, for Special Authorization to expand the business and

WHEREAS, the findings of fact, as determined by the Town Board, were as follows:

1. The applicants need the additional area to properly conduct and expand their growing business.
2. The strict application of the provisions of the Ordinance would deprive the applicants of the reasonable use of the land and building for which the special use is sought.
3. The grant of the special use will not be injurious to the neighborhood and will not alter the essential character of the locality where other commercial activities are taking place.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra does approve a Special Use Permit to Gary L., Aaron C., and Kirk A. Johnston of Johnston's RV Center with the following conditions:

1. The proposed properties, tax #33112-00-135530 and tax #33112-00-048545, must be combined into one parcel.
2. As the business grows and more employees are hired, all buildings must conform to all NYS Codes at all times.
3. All vehicles must be parked behind existing front building line.
4. Sales will be limited to new and used RVs and equipment and parts for same.
5. No gasoline Sales will be allowed on the premises.
6. No repairs will be allowed at this sight at the present time.
7. There will be no outside storage allowed with the exception of the RV itself.
8. Storage of all vehicles will be no closer than 50 feet to north and south property lines of the combined properties.
9. Existing entrances and exits will be maintained and used.
10. Customer parking will be allowed only as shown on the site plan as presented May 18, 1998.
11. No roadside parking will be allowed.
12. This Special Use permit is limited to Gary L., Aaron C. and Kirk A. Johnston only and is NOT transferable to future owners.
13. This Special Use permit will become effective upon signing and returning to the Town Office.
14. Must be in compliance with Town of Palmyra Zoning Codes at all times.
15. Special Use Permit will also be subject to conditions of original application dated 02/26/98.

Seconded by: James Welch Carried: By roll call vote as follows:

- Michael Lambrix - Aye
- James Welch - Aye
- Lynne Green - Aye
- David Nussbaumer - Aye
- David Lyon - Aye

- 2. Dwight and Shelly Hargrave - Special Authorization - Subject of Public Hearing

Michael Lambrix moved to grant Special Authorization to Dwight and Shelly Hargrave to have a pet grooming and dog boarding facility at 1400 Hammond Road upon purchase of this property with conditions to be set down by the Zoning Committee,

MTN TO APV
SPEC AUTH
HARGRAVE

Seconded by: David Nussbaumer Carried: Unanimously

AGENDA ITEMS

- 1. Declare Town Board as lead agency in the matter of the Proposed sewer District #1 of the Town of Palmyra

Michael Lambrix moved to declare the Town Board as lead agency in the matter of the proposed Sewer District #1 of the Town of Palmyra.

MTN TO DCLARE
TN OF PALMYRA
LEAD AGENCY
PROPOSED SEWR
DIST. #1

Seconded by: David Nussbaumer Carried: Unanimously

- 2. Set Public Hearing date to consider Local law #2 of 1998

Michael Lambrix moved to set Thursday, June 11, 1998 at the Palmyra Fire Department at 8:00 PM as the date to hold a Public Hearing concerning Local Law #2 of 1998 entitled "A Local Law amending the Zoning Map of the Town of Palmyra to create a Light Industrial Zone".

MTN TO SET
P H DATE FOR
PROPOSED LL
#2 of 1998

Seconded by: James Welch Carried: Unanimously

- 3. Declare Town Board as lead agency in the matter of the Proposed Local Law #1 of 1998 entitled "A Local Law amending the Zoning Map of the Town of Palmyra to create a Light Industrial Zone"

Michael Lambrix moved to declare the Town Board as lead agency in the matter of the Proposed Local Law #2 of 1998 entitled "A Local law amending the Zoning Map of the Town of Palmyra to create a Light Industrial Zone"

MTN TO DECL,-u,E
TOWN OF PALMYRA
LEAD AGENCY FOR
PROPOSED
LL#2 of 1998

Seconded by: David Nussbaumer Carried: Unanimously

- 4. Set Public Hearing date to consider the consolidation of all Town of Palmyra Water Districts

The following resolution was moved by Michael

Lambrix:

MTN TO SET
PUB HEARING
DATE FOR
CONSLDATN OF
WATER DISTS

WHEREAS, the Town of Palmyra has created several Water Districts and Extensions to the existing Water Districts as follows:

A. NORTH WATER DISTRICT

- Extension No. 1
- Extension No. 2
- Extension No. 3
- Extension No. 4
- Extension No. 5
- Extension No. 6

B. SOUTH WATER DISTRICT

- Extension No. 1

C. EAST WATER DISTRICT

D. CENTRAL WATER DISTRICT

- Extension No. 1
- Extension No. 2
- Extension No. 3

AND, WHEREAS, the Water Districts and Extensions thereto were all created for the same purpose: to provide water to areas in the Town of Palmyra outside the Village of Palmyra, where public water service was not available; and

WHEREAS, each Water District and Extension thereto were created and financed on an ad valorem basis; and

WHEREAS, the cost of operation and maintenance and water consumed in each Water District and the Extension thereto, is based on water consumption; and

WHEREAS, the cost of operation and maintenance of the distribution system have been consolidated in the Town of Palmyra by an agreement for maintenance and service with the Wayne County Water and Sewer Authority, and

WHEREAS, the water supplied to the Water Districts of the Town of Palmyra are supplied from several sources, and

WHEREAS, the Town of Palmyra has entered into a contract to obtain water from the Wayne County Water and Sewer Authority to supply most of the Water Districts and Extensions thereto; and

WHEREAS, the maintenance of separate districts and accounts increases the administrative costs and is inefficient, and

WHEREAS, the consolidation of all the Water Districts and Extensions thereto would eliminate duplication, increase efficiency and reduce costs; and

WHEREAS, certain Water Districts or Extensions thereto have bonded indebtedness which the Water Districts or Extensions thereto are paying; and

WHEREAS, certain Water Districts and Extensions

thereto have collected and hold modest sums of money for major repairs and/or replacement of all of the part of the distribution system, and

WHEREAS, the Town has not created the office of Commissioner in any of the Town Districts, and

WHEREAS, pursuant to Q206a of the Town Law of the State of New York the Town may consolidate two or more special improvement districts in a single improvement district which will provide all of the services, which the individual districts were providing or authorized to provide, and

WHEREAS, pursuant to Q206a of the Town Law in the consolidated Water District and extensions thereto, the Town may determine the basis for future assessments of all costs of operation, maintenance and improvements within the Consolidated District and does hereby determine said costs to be on the ad valorem basis; and

WHEREAS, the Town of Palmyra determines that it is in the best interest of the residents of the Town of Palmyra to create one Consolidated Water District for all areas in the Town now in Water Districts and Extensions thereto and to provide that existing ting Water Districts and Extensions thereto, with unpaid bonded indebtedness, will each continue to pay its bonded indebtedness and the assets of all Water Districts and Extensions thereto, including fund balances, shall become the property of the Co Consolidated Water District, and that all future expenses of any district or extension thereto consolidated herein, will be a charge on all the properties in the Consolidated Water District and funds will be raised on an ad valorem basis, and

WHEREAS, the consolidation shall become effective if approved on the 1st day of January, 1999, if approved.

NOW, THEREFORE, BE IT RESOLVED THAT

1. Pursuant to the applicable laws and rules, the Town of Palmyra will consolidate all of the Water Districts and Extensions thereto into a single Consolidated Water District and that the properties in the existing Water Districts and Extensions thereto with bonded indebtedness will continue to be responsible for the payment of the unpaid bonded indebtedness and the costs of major maintenance and improvements within the Consolidated District shall be assessed on an ad valorem basis and the cost of water operations and maintenance shall be paid through water rents and the assets of the individual districts shall become the property of the Consolidated District and that all future expenses of the Water Districts and Extensions thereto as consolidated, shall be charged in the Consolidated Water District.

2. That pursuant to applicable law, the Town Board shall hold a public hearing on the consolidation of all the Water Districts and Extensions thereto as outlined above at 8:30 PM on the 11th day of June, 1998, at the Palmyra Fire Hall, East Main Street, Palmyra, NY at which time and place the Town Board shall hear all persons interested in the subject matter thereof.

BE IT FURTHER RESOLVED that the Palmyra Town Clerk shall give notice of such hearing by publishing a notice in the official Town newspaper at least 10 days

before time fixed for the public hearing and shall cause a notice to be posted on the Town Clerk's Board and at least five other public places in the Town of Palmyra, and

BE IT FURTHER RESOLVED, that the notice posted and published shall read as follows:

LEGAL NOTICE
TOWN OF PALMYRA

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 14th day of May, 1998, the Town Board of the Town of Palmyra duly adopted a resolution calling for a public hearing pursuant to 206a of the Town Law of the State of New York to consolidate all of the existing water districts to be known as the Palmyra Consolidated Water District.

Pursuant to the resolution it is proposed that 1) each existing water district or extension thereto will continue to be responsible for their payment of any existing bonded indebtedness; 2) that all of the assets of the existing water districts and extensions thereto will become the property of the consolidated district; 3) that all future major repairs and improvements not covered in the existing contracts with the Wayne County Water & Sewer Authority will be assessed on an ad valorem basis and that the cost of water and those items and services provided by a contract with the Wayne County Water & Sewer Authority will be paid for on a benefit basis (water rate) and that all future expenses in the Consolidated Water District will be a charge on the entire Consolidated Water District. The Consolidated Water District would include all those properties both north and south of the New York State Erie Canal currently in existing water districts or extensions thereto.

DATED: May 19, 1998
BY ORDER OF THE TOWN BOARD
BEVERLY E. HICKMAN, TOWN CLERK

Seconded by: Lynne Green Carried: Unanimously

- 5. Town Court Justice Clerk appointment and salary set - Retroactive to May 1, 1998

David Nussbaumer moved to appoint Helga Haak as Court Clerk for Judge Rodman, in addition to Judge Abbott, with the same rate of pay for both judges and for this appointment to be retroactive to May 1, 1998.

APPTMNT OF
CLSRT CLERK
RODMAN

Seconded by: James Welch Carried: Unanimously

- 6. Parker Road petition for water

James Welch moved to hire MRB Group to prepare a map, plan and report for Parker Road water.

MTN TO HIRE
ENG TO DO
MAP, PLAN &
RPT FOR WATER
ON PARKER RD

Seconded by: David Nussbaumer Carried: Unanimously

- 7. Change appointment of Office Clerk to Deputy Town Clerk

David Nussbaumer moved to appoint Dorothy Bosje to the

position of Deputy Town Clerk, with her rate of pay remaining the same as for office clerk.

MTN TO APPT
D. BOSJE
DEP TN CLK

Seconded by: Michael Lambrix Carried: Unanimously

8. Appointment of Nelson Claeyesen to the Board of Assessment Review

MTN TO APPT
N. CLAEYSEN
BD OF ASSMNT
REVIEW

Michael Lambrix moved to appoint Nelson Claeyesen, DeSmith Road, Palmyra, to fulfill a unexpired term on the Board of Assessment Review ending 09/30/2002.

Seconded by: David Nussbaumer Carried: Unanimously

MTN TO ADJRN

The motion to adjourn this meeting of the Town Board was offered by Michael Lambrix.

Seconded by: David Nussbaumer Carried: Unanimously

Respectfully submitted,
Beverly E. Hickman
Beverly E. Hickman
Town Clerk

PUBLIC HEARING
ESTABLISHMENT OF PROPOSED
SEWER DISTRICT #1 OF TOWN OF PALMYRA

The Public hearing scheduled to be held on Thursday, May 28, 1998, at the Palmyra Fire Hall, East Main Street, Palmyra, to consider the establishment of proposed Sewer District #1 of the Town of Palmyra, was called to order at 8:00 PM by Town Supervisor David C. Lyon.

PUB HRG
PROPOSED SWR
DIST #1

CALL TO ORDER

The legal notice, as published in the Courier-Journal, was read by the Town Clerk; omitting the description paragraph. (The description was shown on the map by Anthony Malone, MRB Group, to make it more readily understandable to those present.)

LEGAL READ

Those present, in addition to the Town Board Members, included the following:

- Francis Boisvert, 1095 Canandaigua Road
- Geraldine Vertringhe, 865 Canandaigua Road
- Tom & Carol Hulbert, 1096 Canandaigua Road
- H. Freling, 921 Canandaigua Road
- George A. Ruthven, 1152 Canandaigua Road
- Jim Winston, 1087 Canandaigua Road
- Robert Henning, 1130 Canandaigua Road
- Arthur J. Daughton, Southtown Line Road
- Angela Dart, 875 Canandaigua Road
- C. A. Mertz, 62 Johnson Road, Manchester
- Rose Fredericksen, 1020 Canandaigua Road
- Larry Cowell, 3100 Creswood Drive
- John & Andy Mullin, 1094 Canandaigua Road
- Patty Diaz, 1124 Canandaigua Road
- Francis Rush Sr., 1133 Canandaigua Road
- David & Amy Peek, 1062 Canandaigua Road
- Robert Grier, Code Enforcement Officer
- Nelson F. Cook, Highway Superintendent
- Doris Wolf, D & C reporter

Supervisor Lyon asked for comments or questions regarding this proposed sewer district.

Arthur Daughton - Please explain the boundaries of this sewer district. Supervisor Lyon - The properties owned by LaBerge, Mertz and Kommer.

Clifford Mertz - I own about 112 of the 120 acres and I have not asked for sewer, why not omit me? Supervisor Lyon - It could be possible.

Angela Dart - Why were the other established commercial properties excluded from this district? Supervisor Lyon - At first it was included; from the