

PUBLIC HEARING**PALMYRA TOWN HALL
OCTOBER 26, 2006**

The Public Hearing scheduled for Thursday, October 26, 2006 at the East Palmyra Fire Hall, Tellier Road, East Palmyra, New York, to consider the application of Andrea and Randy Jacobs for a Special Use Authorization to operate a small, part-time coal stove sales office out of their home. The public hearing was called to order at 7:30 p.m. by Town Supervisor David Lyon. The following legal notice for the public hearing had been previously posted and published, and was read by Town Clerk Lynne Green at the hearing:

**PUBLIC
HEARING
CALL TO ORDER****LEGAL NOTICE****TOWN OF PALMYRA****ANDREA AND RANDY JACOBS – SPECIAL USE AUTHORIZATION**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will hold a Public Hearing on Thursday, October 26, 2006 at 7:30 PM at the East Palmyra Fire Hall, Tellier Road, East Palmyra, NY to consider the application of Andrea and Randy Jacobs, 2477 Maple Avenue, Palmyra, NY 14522, for a Special Use Authorization to operate a small, part-time coal stove sales office out of their home.

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

The property is located at 2477 Maple Avenue, tax parcel #64112-00-431922, and is bounded on the North by property reputedly owned by Alvin Strong, tax parcel #64112-00-429937 and bounded on the East by property reputedly owned by Dean and Tammy Heckman, tax parcel 64112-00-470902, and bounded on the South by property reputedly owned by Angelo Licciardello, tax parcel #64112-00-401818, and bounded on the West by property reputedly owned by Lee Hunter, tax parcel #64112-00-323930.

LEGAL NOTICE

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

BY ORDER OF THE TOWN BOARD

Dated: September 28, 2006

Lyndall Ann P. Green
Palmyra Town Clerk

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

**ATTENDANCE AT
PUBLIC HEARING**

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

Also present at this hearing:

- Michael Boesel Palmyra Highway Superintendent
- Bob Grier Palmyra Code Enforcement Officer
- Todd Pipitone *Courier-Journal* reporter
- Roy C. Wilck, John Rush, Neil Gates, Mayor Vicky Daly, Andrea Jacobs, Roy and Fran Hiler, and Mary Blomgren

Supervisor Lyon asked if there was anyone in attendance who wished to comment on the request to operate a small, part-time coal stove sales office out of the Jacobs' home on Maple Avenue. Hearing no response, he asked Clerk Green to read the Planning Board's recommendation at their meeting October 10th:

**TOWN PLANNING
BOARD
RECOMMENDA-
TION**

"Chairman James Hodock asked Mrs. Jacobs to explain her application. Mrs. Jacobs said they would like to sell coal stoves out of their pole barn, they would only be keeping approximately six coal stoves on site and there would not be many customers coming to this location. Dave Pinkney asked if they would be selling or storing coal or supplies at this location also. Mrs. Jacobs said no, they would just have little starter boxes. Chairman James Hodock asked if they plan on having a sign. Mrs. Jacobs said they just wanted to put up a tent sign, they would stake into the ground. Chairman James Hodock asked approximately how far is the nearest neighbor. Mrs. Jacobs said approximately 200 to 300 feet to the north.

"Motion: Neil Gates made a positive recommendation to the Town Board. Reasons are, he feels this would be a quiet business that would not disrupt the neighborhood, there would be minimal traffic increase and this business could provide a desirable service to the area.

"2nd: Lyman Kaller

"Vote: James Hodock—Aye. Neil Gates—Aye. Dave Pinkney—Aye. Steve Landgrebe—Aye and Lyman Kaller—Aye. Vote was unanimous."

**PUBLIC HEARING
CLOSED**

Supervisor Lyon asked if there were any others who wished to speak. Hearing none, he declared the public hearing closed at 7:32 p.m.

In attendance at the meeting was Palmyra Village Mayor, Vicky Daly, who asked to address the town board. Her concern was the limited funds in the town's Tourism line for the 2007 budget. Several items of importance to promoting both the village and town as a tourist destination and as a place

to consider living here and establishing a business here need sufficient funding. In the past, the village and town have collaborated on a 50/50 basis. The proposed 2007 budget doesn't allow for continued collaboration as in the past.

She presented the board with an outline of initiatives to promote Palmyra in the last few years and explained each item. The list of these items and the reasons why Palmyra is doing them are included with these minutes as Attachment A.

Then she invited the town board to meet with the village board and the Wayne County Industrial Development Agency (WCIDA) in a joint workshop to brainstorm ways to attract new business to Palmyra. She recommended an external facilitator to keep the workshop on task.

**PRESENTATION
BY VILLAGE
MAYOR VICKY
DALY ON
TOURISM
INITIATIVES**

At the end of her presentation, she asked for continued support to fund a third printing of the Palmyra brochure. Dave Nussbaumer asked that there be a change made to one of the panels. He asked that the notation "Tourism Office" and the town clerk's phone number be changed. Mayor Daly agreed, and said it would be a minor change to put the village office's phone number there. Supervisor Lyon said they would discuss her request at the Budget Hearing on November 9th. He then thanked Mayor Daly for her presentation.

REGULAR TOWN BOARD MEETING

CALL TO ORDER

At 7:59 p.m., Supervisor Lyon called to order the regular town board meeting, scheduled to be held on Thursday, October 26, 2006, at the East Palmyra Fire Hall, Tellier Road, East Palmyra, NY.

**PLEDGE OF
ALLEGIANCE**

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

Upon roll call, the following board members were present:

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

ROLL CALL

Motion was made by Dave Nussbaumer to approve the minutes of the September 28, 2006 meeting of the Town Board.

**MTN: APPRV
MINUTES OF
9/28/2006
MEETING**

Second: Mike Lambrix

Vote: 5 ayes. Carried.

COMMUNICATIONS

**GRANT AWARD
ANNOUNCED
FOR HWY. DEPT.**

Grant Award Announced: Letter was received from the Wayne County Water Coordinating Committee in Lyons informing the town of the awarding of a grant for \$5000.00 to the highway department for “financial assistance to reconstruct, stabilize, and prevent erosion on Cambier Road, and Harris Road....” This is in addition to the \$5000 grant Highway Superintendent Mike Boesel received in the Spring, so this announcement was welcome news.

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Ken Miller, Chairman

**TOWN HALL
BUILDING
UPDATE**

1. October Update on Town Hall Items: Ken Miller said minor things around Town Hall had been fixed during the last month. He contacted Monroe Insulation and Gutter (MIG) to let them know the board had approved their bid for installing back roof gutters. They are not available until late November. Ken said he planned on calling the other contractor (Proctor Roofing-Contractors) to see if they are available sooner. The bids were just \$5.00 difference. Consensus among board members showed agreement with Ken’s decision. No formal motion was offered.

**REQUEST TO
USE TOWN HALL
FACILITIES**

2. Request to Use Town Hall: Ken noted a special request to use the gym and kitchen in Town Hall was received this month. He polled board members and found everything was in order and agreeable to them. No formal motion was offered.

Highway Committee – Michael Lambrix, Chairman

Highway Department Monthly Report: Mike Boesel's report for October was presented to the town board:

**HIGHWAY DEPT.
MONTHLY
REPORT FOR
OCTOBER**

Highway Superintendent Report
For
Town Board Meeting
10/26/2006

Since the 9/28/06 meeting we have completed the following work:

- Brush mowing – Galloway, Hogback, Vienna St, Quaker, Jeffery, S. Creek Roads
- Hauling - sand for sand/salt barn to mix with 650 Ton of salt that was ordered in August
- Crack sealing - Stafford Road and Temple Road
- Sweeping – Shilling, Goldsmith, Lusk, DeSmith, Hanley, Hogback
- Wedging - Cornwall Road
- Paving – In Village at the Village Park, Mill Street, Spring Street
- Equipment Maintenance – T22, T24, E55, C3

Other miscellaneous items include:

- Sidewalk Project – Palmyra Highway completed sub-base work from 10/10 to 10/13. Sunshine Concrete/Campobello Construction started forming on 10/18 and completed pouring on 10/25. There were many weather delays. Restoration work has already started and is hoped to be completed by the end of next week, weather permitting.
- Shop Hoist – New wheels, bearing, roller assemblies were installed on 10/3. I will be getting more information on the parts/labor necessary to extend the hoist wheelbase within the floor to accommodate our larger trucks.
- WC Soil & Water Conservation – I applied for another \$5,000.00 Stormwater Management grant that was recently made available and received word that we did get approval for the grant. We had already received a grant in this amount earlier this year.
- Shilling Road and DeSmith Road projects are complete for this year. We had hoped to replace the 48" pipe in the wetlands on Shilling Road however time and weather have been against us.
- The entire Town crew assisted the Village crew with paving in the Village Park, Mill Street and Spring Street for two days last week.
- We started prepping several trucks for winter weather. T12 and T18 are both completely set up for snowplowing/salting. Other trucks are in the process of being readied for winter.
- Sign Inventory – Lu Engineers are supposed to be in Butler soon for a few weeks, then coming to Palmyra. Most likely they will be here later in November.
- New York State Association of Town Superintendent of Highways (NYSAOTSOH). Last month I attended our annual Fall Highway Conference. At this meeting I was nominated and voted in to become one of 11 members of the NYSAOTSOH Executive Committee representing Wayne County and the Town of Palmyra. This past Tuesday we had our first meeting of the year in Albany. We have three other meetings throughout the course of the year. I am honored to be a part of this group and to represent Wayne County on this Committee. One of our many objectives is to continue an organized effort across NYS for increased CHIPS funding and continued education/communication efforts for all highway superintendents across New York. Over 700 of the 932 Town Highway Superintendents in NYS belong to this Association.

Board members complimented the Highway Department for the good job they did mowing and trimming brush along the sides of South Creek Rd. and that the sidewalk project along Route 21 from the village to the Town Hall looks good. The cement has been poured and the highway crew is trying to get some landscape work done and restoration of driveways as long as the good weather holds out. Mike Boesel expressed his appreciation for having received the county grant to finish up work on Cambier and Harris Roads.

**HIGHWAY
DEPARTMENT
WORK
COMMENDED**

BOESEL VOTED TO NYSAOTSOH EXECUTIVE COMMITTEE

Mike also let the board know he was honored by having been voted one of the eleven members of the Executive Committee of the NY State Association of Town Superintendents of Highways (NYSATSOH). In this capacity, he will represent Wayne County and the Town.

Planning Committee – James Welch, Chairman

Jim Welch said there was no report this month.

Zoning Committee – David Nussbaumer, Chairman

CODE/ZONING OFFICE OCTOBER REPORT

- 1. Code Enforcement/Zoning Office October Report: Zoning and Code Enforcement Officer Bob Grier submitted a report showing Permit activity during the previous month. He added that this was a fairly busy month with 87 inspections, and that the Wayne ARC home on Jeffery Road is expected to be up and running next month.

NEW ZONING ORDINANCE-- PLANNING BD'S PUBLIC HEARING 11/13/2006

- 2. Draft of Proposed Zoning Ordinance: Grier has received the draft of the new zoning ordinance being proposed for the town. A copy of the draft has been distributed to each town board member. At the November 13th meeting of the Town Planning Board, a public hearing will take place, at 7 p.m. in the Town Hall.

MTN: REPLACE CEO VEHICLE

- 3. Replace CEO Vehicle: During the past month, Bob Grier gathered information on replacing the Code Enforcement Office's vehicle. The best offer he came up with was an outright purchase of a 2006 Ford ¾ ton truck. After some discussion of various options available, Dave Nussbaumer made the motion to approve the purchase of a 2006 Ford ¾ ton truck not to exceed \$17,833.

Second: Mike Lambrix

Vote: 5 Ayes. Carried.

INFORMATIONAL ITEMS

1. Assessor's Report for October: Palmyra Assessor Elaine Herman recapped activity in her office during October. She has taken advantage of the good weather to take photos of manufactured home parks in Palmyra to prepare for the next update. Elaine and Joan attended a one-day training session this month. **ASSESSOR'S REPORT FOR OCTOBER**
2. Town Clerk's Report for October: October is the last month for school tax collection. It was a very busy month. The report itemized various activity during the month. **TOWN CLERK'S OFFICE REPORT FOR OCTOBER**
3. Preliminary Engineering Report Review for SW Quadrant Sewer Project: A review by the USDA Rural Development of the Preliminary Engineering Report was received during the month. Town Engineers at MRB Group must now address any issues noted in the review before a final approval by RD can be obtained. **RECEIVED PRELIMINARY ENGINEERING REPORT REVIEW FROM USDA RURAL DEV.**
4. Survey results of proposed Canandaigua Rd. sewer project: During the month surveys were received from residents of the proposed sewer district. They were tallied and mapped to determine the level of interest and location of properties of those favorable to the project. Most all of the residents responded to the survey. A majority indicated an interest in having this service available for most of the length of the originally proposed line. Public input through informational meetings and hearings will come after the new configuration is drawn up by the engineers. **SURVEY RESULTS OF RESIDENTS OF CANANDAIGUA RD. FOR PROPOSED SEWER SERVICE**

AGENDA ITEMS

1. Van-Jac C & C Coal Stove Special Use Permit: Board members discussed the application and the Planning Board's recommendation. They agreed with the Planning Board's determination and agreed to the conditions as proposed in the application. Ken Miller made the motion to approve the Special Use Permit. **MTN: APPROVE SUA FOR VAN-JAC C&C COAL STOVES SALES**

Second: Mike Lambrix

Vote: 5 ayes. Carried.

Green is willing to serve another five-year term. Dave Nussbaumer made the motion to reappoint Richard Green to a new term on the Board of Assessment Review to begin October 1, 2006 and end September 30, 2011.

MTN: APPROVE RICHARD GREEN TO 5-YEAR TERM ON BOARD OF ASSESSMENT REVIEW

Second: Mike Lambrix Vote: 5 ayes. Carried.

At this point, Dave Lyon reminded the town board that the Zoning Board of Appeals has a vacancy from Gary Wildey's resignation. Bob Grier added that the new zoning ordinance will "put a lot before" the Zoning Board and that filling this position is very important.

- 7. Approve Abstract #114 (for vouchers already paid) & Abstract #115 (for vouchers to be paid): Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #114, which includes Vouchers 7569 through 7573, for \$19,160.48; and Abstract #115, which includes Vouchers 7574 through 7637, for \$106,678.68.

MTN: APPROVE ABSTRACTS #114 AND #115

Second: Jim Welch Vote: 5 ayes. Carried.

- 8. Adjournment: Mike Lambrix made the motion to adjourn at 8:36 p.m.

MTN: ADJOURN MEETING

Second: Dave Nussbaumer Vote: 5 ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

Attachment A: Promoting Palmyra--A Presentation by Mayor Vicky Daly

Next town board meeting: Thursday, November 9, 2006, at 7:30 p.m. Palmyra Town Hall