

**PUBLIC HEARING
FOR PROPOSED SOUTHWEST QUADRANT SEWER DISTRICT
PALMYRA TOWN HALL
JUNE 12, 2008**

The Public Hearing scheduled for Thursday, June 12, 2008, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, to consider the establishment of the proposed Southwest Quadrant Sewer District, was called to order at 7:30 p.m., by Town Supervisor David Lyon.

**PUBLIC
HEARING FOR
SOUTHWEST
QUADRANT
SEWER
DISTRICT
CALL TO ORDER**

The following legal notice for the public hearing had been previously posted and published, announcing the hearing:

LEGAL NOTICE

Town of Palmyra, County of Wayne, State of New York

In the matter of the creation of the Southwest Quadrant Sewer District of the Town of Palmyra, Wayne County, New York

Please take notice that a Public Hearing will be held at the Town Hall of the Town of Palmyra, 1180 Canandaigua Road, Palmyra, New York, on the 12th day of June, 2008, at 7:30 p.m. to hear all parties interested in the creation of the Southwest Quadrant Sewer District pursuant to the following Resolution:

Resolution and Order for Public Hearing

WHEREAS, The Town Board of the Town of Palmyra has caused a map and plan and report to be prepared by the Town's Consulting Engineers, MRB Group, P.C., regarding the creation of the Southwest Quadrant Sewer District providing sewer collection and processing to properties south of the Village of Palmyra and outside of any existing sewer district and east of the New York State Route, and

**LEGAL NOTICE
FOR RESOLU-
TION AND
ORDER FOR
PUBLIC
HEARING**

WHEREAS, there is a need for sewer service in the proposed service district, and

WHEREAS, the boundaries of such proposed sewer district are set forth on Schedule A attached hereto and made a part hereof, and

WHEREAS, the proposed improvements to be made are as follows:

1. Construction of 4,500± lineal feet of 2" pvc forcemain,
2. Construction of 3,500± lineal feet of 1½" pvc forcemain,
3. Installation and connection of 39 grinder pumps,
4. Miscellaneous fittings and equipment and the site work incident to the preparation and completion of the proposed project map.

All in accordance with the map, plans and specifications prepared by the Town consulting engineers and filed in the Town Clerk's Office, and

WHEREAS, the maximum amount to be expended for the improvements is \$549,800.00, and

WHEREAS, the Town through the Wayne County Water and Sewer Authority has applied for and received a United States Environmental Protection Agency Grant in the amount of \$221,800.00, and

WHEREAS, the Town has received a grant from United States Department of Agriculture in the amount of \$100,000.00 to be used for the project, provided the construction is completed by December 31, 2008.

WHEREAS, the Town has applied for a loan from the United States Department of Agriculture for a Rural Development Loan in the amount of \$228,200.00 with interest of 4.5% payable over 38 years, and

WHEREAS, the cost for the average single family home would be \$657.98 per year, and

WHEREAS, the individual homeowners who connect in the first year will have costs of \$1,500.00 to \$3,000.00 for work on their own system, and ongoing charges of \$70.00 annually for estimated electric charges and replacement charges for the pump.

WHEREAS, unimproved property or vacant land which benefits will be assessed a \$10.00 annual benefit or debt service charge per year.

WHEREAS, the project is subject to a permissive referendum, all pursuant to Town Law.

WHEREAS, the project is subject to receipt of the proposed funding and the approval that is required from the State and Federal government, and it is hereby

ORDERED, that at a meeting of the Town Board of the Town of Palmyra to be held at the Town Hall of the Town of Palmyra, 1180 Canandaigua Road, Palmyra, New York, on the 12th day of June, 2008, at 7:30 o'clock in the evening of that day to consider the report and plan as filed and to hear all persons interested in the subject thereof concerning the sewer and for such other actions on the vote of the said Town Board with relation to the said map plan and report and for such proceedings as may be required by law or proper in the premises.

BUT FURTHER RESOLVED that the Town Clerk of the Town of Palmyra is hereby authorized and directed to publish a notice of said hearing in the *Courier-Journal* and *The Times of Wayne County*, and to post a notice of this hearing on the sign board of the Town of Palmyra and such other place and in the time and manner as required by law.

Dated: May 22, 2008

Roll Call Vote: David Lyon, Supervisor, Aye; David Nussbaumer, Councilman, Aye; Michael Lambrix, Councilman, Aye; James Welch, Councilman, Aye; Kenneth Miller, Councilman, Aye.

I certify that the above Resolution and Order is a true copy of the Resolution and Order adopted at a meeting of the Town Board of the Town of Palmyra, County of Wayne, State of New York, duly held on the 22nd day of May, 2008, at the Town Hall of the Town of Palmyra, 1180 Canandaigua Road, Palmyra, New York.

**LEGAL NOTICE
FOR RESOLU-
TION AND
ORDER FOR
PUBLIC
HEARING**

This legal notice is published and will be posted pursuant to the Order of the Town Board of the Town of Palmyra.

Lyndall Ann P. Green
Town Clerk
Town of Palmyra

SCHEDULE A
DESCRIPTION OF PROPOSED SOUTHWEST QUADRANT SEWER DISTRICT

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Palmyra, County of Wayne, and State of New York, as shown on a map prepared by MRB Group, P.C. dated 09/2007 (Revised 5/21/08), entitled "Southwest Quadrant Sewer District – District Map and Plan" and being more particularly bounded and described as follows:

Beginning at a point on the existing centerline of Canandaigua Road (N.Y.S. Route 21) at its intersection with the westerly prolongation of the existing common division line between Tax Map Parcel (TMP) 64111-15-649346 with TMP 64111-15-649355; thence,

- (1) Easterly, along the last mentioned existing common division line to a point at its intersection with the existing common division line between TMP 64111-15-664351 with TMP 64111-15-649355; thence,
- (2) Northerly, along the last mentioned existing common division line to point at its intersection with the existing municipal boundary between the Village of Palmyra with the Town of Palmyra, said boundary also being the southerly bounds of an existing Sewer District; thence,
- (3) Easterly, along the last mentioned existing municipal boundary and sewer district, and also along the existing northerly bounds of TMP 64111-15-664351, TMP 64111-15-673350, TMP 64111-15-684350, TMP 64111-15-696350 and TMP 64111-15-713349, the existing northerly right of way of Rolfe Street, and the existing northerly boundary of TMP 64111-16-753351, to a point at its intersection with the existing common division line between TMP 64111-16-753351 with TMP 64111-16-803376; thence,
- (4) Southerly, along the last mentioned existing common division line, and also along the existing easterly bounds of TMP 64111-16-752340, TMP 64111-16-752330, TMP 64111-16-753320, TMP 64111-16-753310, TMP 64111-16-754297, TMP 64111-16-755280, TMP 64111-16-756262, TMP 64111-19-724324 and TMP 64111-00-757161, to a point at its intersection with the existing common division line between TMP 64111-00-757161 with TMP 64111-00-719090; thence,
- (5) Westerly, along the last mentioned existing common division line, and also along the existing common division line between TMP 64111-19-710138, TMP 64111-19-690138, TMP 64111-19-680139 and TMP 64111-19-670140 with TMP 64111-00-719090 to a point at its intersection with the existing common division line between TMP 64111-19-670140 with TMP 64111-19-655132; thence,

**LEGAL NOTICE
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- (6) Northerly, along the last mentioned existing common division line, and also along the existing common division line between TMP 64111-19-670140 with TMP 64111-19-655139 to a point at its intersection with the existing common division line between TMP 64111-19-654147 with TMP 64111-19-655139; thence,
- (7) Westerly, along the last mentioned existing common division line, and its westerly prolongation to a point at its intersection with the existing centerline of the first mentioned Canandaigua Road (NYS Rte 21); thence,
- (8) Northerly, along the last mentioned existing centerline to a point at its intersection with the westerly prolongation of the existing common division line between TMP 64111-19-654163 with TMP 64111-19-653172; thence,
- (9) Easterly, along the last mentioned existing common division line to a point at its intersection with the existing common division line between TMP 64111-19-690190 with TMP 64111-19-653172; thence,
- (10) Northerly, along the last mentioned existing common division line to an angle point; thence,
- (11) Westerly, continuing along the last mentioned existing common division line and its westerly prolongation to a point at its intersection with the existing centerline of the above mentioned Canandaigua Road (NYS Rte 21); thence,
- (12) Northerly, along the last mentioned existing centerline to a point at its intersection with the westerly prolongation of the existing common division line between TMP 64111-19-690190 with TMP 64111-19-652201; thence,
- (13) Easterly, along the last mentioned existing common division line to a point at its intersection with the easterly bounds of TMP 64111-19-652201; thence,
- (14) Northerly, continuing along the last mentioned easterly boundary, and also along the existing common division line between TMP 64111-19-690190 with TMP 64111-19-652209 to a point at its intersection with the existing common division line between TMP 64111-19-690190 with TMP 64111-19-724324; thence,
- (15) Westerly, along the last mentioned existing common division line to a point at its intersection with the existing common division line between TMP 64111-19-724324 with TMP 64111-19-650216; thence,
- (16) Northerly, along the last mentioned existing common division line to a point at its intersection with the existing common division line between TMP 64111-19-724324 with TMP 64111-19-652226; thence,
- (17) Easterly, along the last mentioned existing common division line to an angle point in the last mentioned common division line; thence,
- (18) Northerly, continuing along the last mentioned existing common division line, and also along the existing common division line between TMP 64111-19-724324 with TMP 64111-19-652235, TMP 64111-19-652243 and TMP 64111-15-651253 to a point at its intersection with the existing common division line between TMP 64111-15-672297 with TMP 64111-15-651253; thence,

- (19) Westerly, along the last mentioned existing common division line and its westerly prolongation to a point at its intersection with the existing centerline of the above mentioned Canandaigua Road (NYS Rte 21); thence,
- (20) Northerly, along the last mentioned existing centerline to the Point and Place of Beginning, containing 3,145,929 ± square feet or 72.22 ± acres of land, more or less.

LEGAL NOTICE FOR RESOLUTION AND ORDER FOR PUBLIC HEARING

HEREBY INTENDING TO DESCRIBE IN ITS ENTIRETY, that parcel of land, situate in the Town of Palmyra, Wayne County, New York to be known and identified as the Southwest Quadrant Sewer District.

Due to the length of the legal notice, Mike Lambrix made the motion to waive the reading of it at this time.

MTN: WAIVE READING OF LEGAL NOTICE FOR PUBLIC HEARING

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

David Doyle, P.E., represented MRB Engineering Group on behalf of the Town. He had made these presentations before, but at this public hearing, he announced that the U.S.D.A. was able to increase its grant to the Town by \$100,000. The impact of this extra funding is that the residents of this sewer district have to borrow \$100,000 less for the installation of the sewer lines. The savings each year to the affected residents is about \$150 per property owner. Changes to the numbers in a water or sewer district require a public hearing to inform those affected—even if it means a savings.

PUBLIC COMMENTS AND ANSWERS BY TOWN ENGINEERS

Martin Mroczak, P.E., also from MRB Group, fielded several questions such as an estimated timetable for pipe installation, the procedure for hookup of grinder pumps, and the need for individual property easements allowing the Wayne County Water and Sewer Authority (WCWSA) to install and maintain the grinder pumps. Residents of the district will be receiving letters explaining the need and procedure for easements.

At 7:35 p.m., Supervisor Lyon asked if there were any other comments or questions concerning the Southwest Quadrant Sewer District. Hearing none, he declared the hearing closed.

PUBLIC HEARING CLOSED

Since the next hearing had not been scheduled until 8:00 p.m., Dave Lyon called the regular town board meeting to order at 7:36 p.m., scheduled to be held on Thursday, June 12, 2008, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Upon roll call, the following board members were present:

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

MEETING ATTENDANCE

Also attending the meeting: Code Enforcement/Zoning Officer Bob Grier, and Town residents Joe Pesarek, Jean Edwards, Ethel Graham, Barbara Bucknam, Eugene Bucknam, Carol Plesa, Art Hauf, Kevin Johnson and Ariel Camp.

Although minutes from the May 22, 2008 meeting of the Town Board were available to Board members, they decided to hold off on the approval until the June 26th meeting. No motion was offered.

COMMUNICATIONS**REGIONAL TOWN HALL MEETINGS BY GOVERNOR'S ECONOMIC SECURITY CABINET**

1. Regional Town Hall Meetings: A letter was received from New York State Governor Paterson's Economic Security Cabinet, announcing regional Town Hall meetings. The nearest one to Palmyra is at the Rochester City Hall on Wednesday afternoon, June 25, 2008, from 4 p.m. to 7 p.m. Governor Paterson "has charged his Economic Security Cabinet with exploring opportunities to support struggling low-income families. These Town Hall meetings will provide an opportunity to hear about the State's commitment to protecting and enhancing economic security." Registration information for the meetings is available at <http://economicsecurity.us>.

RAY'S BRIDGE PUB UPCOMING FUNDRAISER

2. Ray's Bridge Pub Upcoming Fundraiser: A letter from Francine Lennox, Manager of Ray's Bridge Pub, Inc., notified the Town that on June 21, 2008, they plan to host the 5th Benefit Poker Run in memory of Scott Haskins. "The money raised will be donated to the Leukemia Society...." Their Special Use Permit allows them to "hold periodic charitable benefits, both inside and outside" without requesting each one before the Board. Ken Miller wanted it noted that he thanked them for their notification, and commended them for not having had "issues" at these events in the past.

INFORMATIONAL ITEMS

- 1. PC Swap Completed: The swap between two PCs in the Town Clerk’s office is complete. The savings to the Town is that both PCs have sufficient capabilities for their new locations, and loading software onto the newer, larger PC took less time than if a brand new PC had been purchased.

**PC SWAP
COMPLETED**

- 2. Proposed North Canandaigua Road Sewer District: Since a resident of Canandaigua Road, north of the Town Hall, has requested hookup to the sewer lines previously installed by the Palmyra Animal Hospital, the Town is looking into forming a very small sewer district. This would be, at most, a total of five properties near the animal hospital. This was meant as an informational item, but Mike Lambrix made the motion to accept the proposal, and to authorize a map, plan and report to be prepared by the Town engineers.

**MTN: ACCEPT
PROPOSAL FOR
N. CANANDAI-
GUA RD. SEWER
DISTRICT, HAVE
MAP, PLAN &
REPORT
PREPARED BY
ENGINEERS**

Second: Dave Nussbaumer

Supervisor Lyon requested a roll call vote:

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

Motion carried.

**ROLL CALL
VOTE**

AGENDA ITEMS

- 1. Resolution and Order—Southwest Quadrant Sewer District—Establish Sewer District: Mike Lambrix made the motion to approve the Resolution and Order of the Town of Palmyra, approving the Establishment of the Southwest Quadrant Sewer District, subject to a Permissive Referendum as prescribed by Law. Second: Ken Miller

**MTN: APPROVE
RESOLUTION &
ORDER APPROV-
ING ESTABLISH-
MENT OF
SOUTHWEST
QUADRANT
SEWER
DISTRICT**

Supervisor Lyon requested a roll call vote:

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

Motion carried.

**ROLL CALL
VOTE**

The Resolution and Order to Establish the Southwest Quadrant Sewer District is included with these minutes as Attachment A.

**RESOLUTION &
ORDER IS
ATTACHMENT A**

- 2. Auditor Services—Audit Proposal: Dave Lyon explained that when the Town embarks on certain projects--such as water and sewer projects--that have debt and federal funding components, audits in accordance with government auditing standards are required. Palmyra has several in the works with loan balances over \$1,000,000 through Rural Development, as well as expending federal funds in excess of \$500,000. These are some of the Auditing services proposed in an audit proposal submitted to the Town by Raymond F. Wager, CPA, PC. The Town has contracted with Ray Wager in the past and know that he is experienced in these matters. For another project, the town had an audit "that was a nightmare." Lyon did not wish to go through that, and recommended Ray Wager to the Board to make sure these financial matters are done properly. Mike Lambrix made the motion to accept the Audit Proposal submitted by Raymond F. Wager.

**MTN: ACCEPT
AUDIT
PROPOSAL
FROM RAYMOND
F. WAGER FOR
WATER AND
SEWER
PROJECTS
USING FEDERAL
FUNDING**

Second: Dave Nussbaumer

Vote: 5 Ayes. Carried

Since all items on the agenda for the Regular Town Board Meeting had been taken care of, except for the item relating to the Johnson-Floodman Water District, and since it was only 7:50 p.m., Supervisor Lyon said we should wait ten minutes to begin the second Public Hearing of the evening, which had been scheduled to begin at 8:00 p.m.

**RESIDENT
COMMENTS AND
QUESTIONS**

Supervisor Lyon asked if anyone in attendance had any questions or comments to be brought to the Town Board. A Maple Avenue resident requested an update on the proposed Maple-Meadow Sewer Project. Supervisor Lyon answered his questions, and said it will be coming up shortly.

**PUBLIC HEARING
FOR PROPOSED
JOHNSON-FLOODMAN WATER DISTRICT**

**PALMYRA TOWN HALL
JUNE 12, 2008**

**PUBLIC
HEARING FOR
JOHNSON-
FLOODMAN
WATER
DISTRICT
CALL TO ORDER**

The Public Hearing scheduled for Thursday, June 12, 2008 at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, to consider the proposed Johnson-Floodman Water District, was called to order at 8:00 p.m. by Town Supervisor David Lyon.

The following legal notice for Resolution and Order for Public Hearing had been previously posted and published, announcing the hearing:

LEGAL NOTICE

Town of Palmyra, County of Wayne, State of New York

In the matter of the creation of the Johnson-Floodman Water District of the Town of Palmyra, Wayne County, New York

Please take notice that a Public Hearing will be held at the Town Hall of the Town of Palmyra, 1180 Canandaigua Road, Palmyra, New York on the 12th day of June, 2008, at 8:00 p.m. to hear all parties interested in the creation of the Johnson-Floodman Water District pursuant to the following Resolution:

Resolution and Order for Public Hearing

WHEREAS, a written Petition in multiple parts, dated August 29, 2007, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Palmyra, Wayne County, New York for the establishment of the Johnson-Floodman Water District in said Town to be bounded and described as follows:

**LEGAL NOTICE
FOR RESOLU-
TION AND
ORDER FOR
PUBLIC
HEARING**

ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Town of Palmyra, County of Wayne and State of New York outside of the Village of Palmyra and any existing Water District bounded and described as follows:

(SEE SCHEDULE A ATTACHED HERETO)

WHEREAS, the Town Board of the Town of Palmyra has caused a map, plan and report to be prepared by the Town's consulting engineers, MRB Group, P.C., competent engineers duly licensed by the State of New York for the proposed Johnson-Floodman Water District, consisting of the installation of:

1. 29.800 lineal feet of 8" pvc watermain;
2. 50 hydrants;
3. 31 8" gate valves; and
4. Original equipment, machinery, furnishing sewer appurtenances, related site work, land rights in land, and professional services all in said map, plan and report which has been duly filed in the Office of the Town Clerk of the Town for public inspection.

WHEREAS, the maximum amount to be expended in the construction of the water distribution system and for the acquisition of land or improvements is \$1,124,000.00.

WHEREAS, the project is subject to the receipt of a grant of \$491,000.00 and the approval of the Office of the State Comptroller.

It is proposed that the average home will pay a one-time connection charge not to exceed \$1,400.00 per home, including water consumption charges in the first year; and

It is proposed that all unimproved parcels or vacant parcels shall pay an annual \$10.00 benefit or debt service charge.

ORDERED, that at a meeting of the Town Board of the Town of Palmyra to be held at the Town Hall, 1180 Canandaigua Road, Palmyra, New York, on the 12th day of June, 2008 at 8:00 o'clock in the evening of that day to consider the report and plan as filed and to hear all persons interested in the subject thereof concerning the Water District and for such other actions on the vote of said Town Board with relation to the said map, plan and report and for such proceedings as may be required by law or proper in the premises.

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Palmyra is hereby authorized and directed to publish a notice of said hearing in the *Courier-Journal* and *The Times of Wayne County* and to post a notice of this hearing on the Town Clerk's bulletin board and at such other place and in the time and manner as required by law.

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HEARING**

Dated: May 22, 2008

Roll Call Vote:	David Lyon, Supervisor	Aye
	David Nussbaumer, Councilman	Aye
	Michael Lambrix, Councilman	Aye
	James Welch, Councilman	Aye
	Kenneth Miller, Councilman	Aye

I certify that the above Resolution and Order for Public Hearing, dated May 22, 2008, is a true copy of the resolution approved by the Town Board at the Town Hall of the Town of Palmyra, 1180 Canandaigua Road, Palmyra, New York, for the Johnson-Floodman Water District in the Town of Palmyra, County of Wayne and State of New York, and is a true extract of the minutes of that meeting.

Lyndall Ann P. Green
Town Clerk, Town of Palmyra

This legal notice is published and will be posted pursuant to the Order of the Town Board of the Town of Palmyra.

Lyndall Ann P. Green
Town Clerk, Town of Palmyra

SCHEDULE "A"

LEGAL DESCRIPTION OF PROPOSED
JOHNSON-FLOODMAN WATER DISTRICT

ALL THAT TRACT or parcel of land situate in the Town of Palmyra, County of Wayne and State of New York, situate outside of an incorporated Village bounded and described as follows:

Parcel A – Beginning at the intersection of the north line of the Central Water District with the centerline of Parker Road; thence

- 1) Easterly along the north line of the Central Water District to the east line of tax map parcel number 65112-00-181847; thence
- 2) Northerly along the east line of tax map parcel numbers 65112-00-181847, 65112-00-099960 and 64113-00-977131 to the northeast corner of tax map parcel number 64113-00-977131; thence
- 3) Westerly along the north line of tax map parcel number 64113-00-977131 to the northwest corner of the tax map parcel; thence
- 4) Southerly along the west line of tax map parcel numbers 64113-00-977131, 64112-00-874995 and 64112-00-843860 to the north line of the Central Water District; thence
- 5) Easterly along the north line of the Central Water District to the point and place of beginning.

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Parcel B – Beginning at the intersection of the centerline of South Townline Road with the west line of the Central Water District; thence

- 1) Northerly, easterly and northerly along the west line of the Central Water District to its intersection with the centerline of Vienna Road; thence
- 2) Northerly along the centerline of Vienna Road to its intersection with the south line of the East Water District; thence
- 3) Westerly, southerly, westerly, northerly, easterly, northerly, westerly, southerly, westerly, southerly, westerly and northerly along the south, east and west lines of the East Water District to the south line of the Village of Palmyra; thence
- 4) Westerly along the south line of the Village of Palmyra to its intersection with the east line of the Johnson Road Water District; thence
- 5) Southerly, westerly and northerly along the east, south and west line of the Johnson Road Water District to the south line of the Village of Palmyra; thence
- 6) Westerly along the south line of the Village of Palmyra to the west line of the Canandaigua Road Water District; thence

- 7) Southerly, westerly and southerly along the Canandaigua Road Water District to the north line of the Central Water District; thence
- 8) Easterly, southerly, easterly, southerly and easterly along the northerly and easterly lines of the Central Water District to the south line of the Town of Palmyra; thence
- 9) Easterly along the town line of the Town of Palmyra to the point and place of beginning.

Parcel C – Beginning at the intersection of the west line of the East Palmyra Port Gibson Water District with the south line of the CSX Railroad; thence

- 1) Westerly along the south line of the CSX Railroad to its intersection with South Creek Road; thence
- 2) Westerly along the centerline of South Creek Road to a point 650± feet south of the south line of tax map parcel number 66112-00-231278; thence
- 3) Southeasterly till it intersects with the west line of tax map parcel number 66112-00-325258; thence
- 4) Southerly along the west line of tax map parcel number 66112-00-325258 to its southwest corner; thence
- 5) Easterly along the south line of tax map parcel number 66112-00-325258 till it intersects with the west line of tax map parcel number 66112-00-438198; thence
- 6) Southerly along the west line of tax map parcel number 66112-00-438198 to its southwest corner; thence
- 7) Easterly along the south line of tax map parcel numbers 66112-00-438198 and 66112-00-500114 till it intersects with the west line of tax map parcel number 66111-00-629940; thence
- 8) Southerly along the west line of tax map parcel numbers 66111-00-629940 and 66111-00-622840 till it intersects with the north line of the East Palmyra Port Gibson Road Water District; thence
- 9) Easterly along the north line of the East Palmyra Port Gibson Road Water District till it intersects with the west line of said Water District; thence
- 10) Northerly, easterly, northerly, westerly and northerly along the west line of the East Palmyra Port Gibson Road Water District to the point and place of beginning.

Parcel D – Beginning at the intersection of the centerline of the East Palmyra Port Gibson Road Water District with the north line of the property of the County of Wayne, tax map parcel number 66111-00-380292; thence

- 1) Northwesterly and northerly along the north and east lines of the County of Wayne parcel to the north line of tax map parcel number 66111-00-608272; thence

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- 2) Easterly along the north line of tax map parcel number 66111-00-608272 and tax map parcel number 66111-00-451412 to the intersection with the west line of the Central Water District; thence
- 3) Easterly along the south line of the Central Water District to its east line and continuing easterly along the north line of tax map parcel number 66111-00-784346 to the north east corner of said parcel; thence
- 4) Southerly along the east line of tax map parcel number 66111-00-784346 to the north line of tax map parcel number 66111-00-864148; thence
- 5) Westerly along the north line of tax map parcel number 66111-00-864148 to a point 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road Water District; thence
- 6) Southerly and always 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road Water District to the north line of the County of Wayne tax map parcel number 66111-00-380292; thence
- 7) Westerly along the north line of the County of Wayne property to the point and place of beginning.

LEGAL NOTICE FOR RESOLUTION AND ORDER FOR PUBLIC HEARING

Supervisor David Lyon welcomed those in attendance at the Public Hearing for the proposed Johnson-Floodman Water District.

Due to the length of the legal notice, Dave Nussbaumer made the motion to waive the reading of the legal notice at this time.

MTN: WAIVE READING OF LEGAL NOTICE

Second: Mike Lambarix Vote: 5 Ayes. Carried.

Supervisor Lyon then introduced Dave Doyle from MRB Group, who had information concerning the water district.

A question was made for clarification of the information in the handout for the Johnson-Floodman Water Project. Doyle answered the resident's questions about grant funds, debt service and length of bonding. Lyon stated that nothing had changed since the last hearing, but that the State Comptroller's attention to detail necessitated another hearing to correct a timetable in the previously published legal notice.

Another resident noted there are flags around the areas to be included in the water project. The utility companies are now placing flags on properties included in this district. This will be helpful to the surveyors who will follow, in preparation for the specifications for bidding by prospective contractors.

CLOSE PUBLIC HEARING

Supervisor Lyon asked if there were any more questions or comments. Hearing none, he declared the hearing closed at 8:07 p.m.

The remaining Resolution and Order to Establish the Johnson-Floodman Water District was the only item of business on the agenda that had not been previously addressed.

MTN: APPROVE RESOLUTION & ORDER APPROVING ESTABLISHMENT OF JOHNSON-FLOODMAN WATER DISTRICT SUBJECT TO APPROVAL OF N.Y. STATE COMPTROLLER

Mike Lambrix made the motion to approve the Resolution and Order of the Town of Palmyra, approving the Establishment of the Johnson-Floodman Water District, subject to the approval of the Office of the Comptroller of the State of New York, and authorizing an application to the Office of the State Comptroller for approval of the Johnson-Floodman Water District.

Second: Ken Miller

Supervisor Lyon requested a roll call vote:

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

Motion carried.

ROLL CALL VOTE

RESOLUTION & ORDER IS ATTACHMENT B

The Resolution and Order to Establish the Johnson-Floodman Water District is included with these minutes as Attachment B.

MTN: ENTER EXECUTIVE SESSION

At 8:10 p.m., Dave Nussbaumer made the motion to enter into Executive Session to discuss matters of pending litigation.

Second: Mike Lambrix

Vote: 5 Ayes. Carried.

Supervisor Lyon thanked those in attendance for coming to the meeting, and thanked Dave Doyle and Martin Mroczak for presenting the information this evening.

At 8:17 p.m. the doors were closed to begin the Executive Session. Town Clerk Lynne Green was asked to remain.

DECLARE OUT OF EXECUTIVE SESSION

At 8:25 p.m., Supervisor Lyon declared the Town Board out of Executive Session.

MTN: ADJOURN MEETING

At 8:26 p.m., Dave Nussbaumer made the motion to adjourn.

Second: Jim Welch

Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

ATTACHMENTS:

Attachment A: Resolution and Order to Establish the Southwest Quadrant Sewer District

Attachment B: Resolution and Order to Establish the Johnson-Floodman Water District

NEXT MEETING:

THURSDAY, JUNE 26, 2008, 7:30 P.M., PALMYRA TOWN HALL