

PUBLIC HEARING
SMALL CITIES GRANT PROGRAM
PART TWO

The Public Hearing scheduled to be held on Thursday, January 28, 1999 at the Palmyra Town office, 201 East Main Street, Palmyra, NY, to discuss needs and priorities, to provide residents with information about the Small Cities program and to describe the Town's plan to meet these priority needs was called to order at 7:30 PM by Town Supervisor David C. Lyon.

The reading of the legal notice for the second time was waived by motion offered by David Nussbaumer.

Seconded by: Lynne Green Carried: Unanimously

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

- Donna Camblin
- Jim Burns- the Messenger
- Marty Aman- MRB Group
- Nelson F. Cook – Highway Superintendent
- Mike Boesel – Highway Department
- Robert Grier – Code Enforcement Officer

Supervisor Lyon asked those present if they had any comments or questions regarding this application. There were none. Supervisor Lyon then asked Marty Aman, MRB Group, to give a brief description of the project. Mr. Aman briefly went over the Environmental Assessment Form. The Canal Corporation and the Department of Environmental Conservation are the two "most involved" agencies; this grant is vital for the North Sewer District project; we should know in June or July whether or not our application is approved.

Supervisor Lyon again asked if there were any more questions and again there were none. He declared this public hearing closed at 7:38PM.

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REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, January 28, 1999 at the Town Office, 201 East Main Street, Palmyra, was called to order at 7:38 PM by Town Supervisor David C. Lyon.

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

Upon roll call, the following board members were present:

Town Supervisor -	David C. Lyon
Town Board Members -	David Nussbaumer
	Lynne Green
	James Welch
	Michael Lambrix

David Nussbaumer moved to approve the minutes of the December 28, 1998 Town Board Meeting as submitted.

Seconded by: Lynne Green Carried: Unanimously

Mr. Nussbaumer then moved to approve the minutes of the January 4, 1999 Organizational Meeting as submitted.

Seconded by: Michael Lambrix Carried: Unanimously

COMMUNICATIONS

1. Notice of Dog Quarantine Order for Protection of Deer – County of Wayne
2. Letter of resignation from Board of Assessment Review from Catherine Contant
3. Letter from Sermar Management Corporation RE: Palmyra Senior Apartments, Request for Dedication of Sidewalks

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman

1. Assessor Update

A written report was submitted by Ann Vingee-Taber, Sole Assessor, Town of Palmyra, and can be found in the file folder entitled "Assessor Update/Code Enforcement Officer Update" as kept with these minutes.

Highway Committee - David Nussbaumer, Chairman

1. Highway Superintendent Update

Mr. Cook simply reported that with all the snow we have had, his men have been very busy.

2. Correction to Highway Payroll Figures set at Organizational Meeting

David Nussbaumer moved to correct the payroll amount set at the Organizational Meeting, for the position of Equipment Operator to read – Minimum of \$10.02 and Maximum of \$14.31.

Seconded by: Michael Lambrix Carried: Unanimously

3. Budget Adjustment

David Nussbaumer moved to approve the following budget adjustment and budget increase:

<u>FROM</u>		<u>TO</u>	
GENERAL SUPT. OF HWY/ CONT EXPENSE A5010.4	\$ 66.80	GENERAL SUPT OF HWY/ PERSONAL SERVICES A5011.1	\$66.80
DA HIWY SNOW REMVL CONT EXPENSE DA5142.1	\$318.10	DA HIWY SNOW REMVL PERSONAL SERVICES DA5142.4	\$318.10

(The above adjustments are for the 1998 budget. This is an adjustment from the last payroll in 1998)

BUDGET INCREASE	
DB HIGHWAY IMPROVEMENTS/PERS SVCS DB5112.1	\$2230.76

DB HIGHWAY IMPROVEMENTS/CAPITAL OUTLAY DB5112.2	\$11846.34
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(The above increase is the balance left in the CHIPS accounts from 1998. The EOY balance is being carried over to the 1999 Budget per request of Nelson Cook)

Seconded by: Michael Lambrix Carried: Unanimously

4. Agreement to Spend Highway Funds

David Nussbaumer moved to approve the 1999 Agreement to spend Highway Funds between the Town of Palmyra and the Highway Superintendent.

Seconded by: Michael Lambrix Carried: Unanimously

Planning Committee - James Welch, Chairman

1. CEO Update

Robert Grier informed the board that the Mormon Church is paying \$42.00 per hour for infrastructure inspectors. He stated that those amounts of money could make the Zoning Department self sufficient if these inspections were done by the Zoning Inspector rather than a outside inspector. He feels there is great potential for earning income for the Zoning Department.

Zoning Committee - Michael Lambrix, Chairman

1. Palmyra Zoning Ordinance – R1 District

Michael Lambrix reported to the Board that he has verbal instructions regarding a R1 District from John Nesbitt, Attorney, but is waiting for written verification to present to the Board.

2. All Mobile Home Park Applications for 1999 are filed in the Town Clerk's office

Mr. Lambrix stated that he would make arrangements with the Health Officer to do a spring inspection on the mobile home parks and would report back at a later date.

3. Set Public Hearing date for Mike Porretta- Special Authorization to erect a second building on property at Hammond Road

Michael Lambrix moved to set Thursday, February 25, 1999 at 7:30 PM as the time for a public hearing to consider the application for special authorization for Mike Porretta to erect a second building on his property located at Hammond Road. Palmyra and for such public hearing to take place at the Palmyra Fire Hall, East Main Street, Palmyra.

Seconded by: Lynne Green Carried: Unanimously

AGENDA ITEMS

1. Proposed East Sewer District

Supervisor Lyon discussed, with the Board Members, the possibility of running a sewer line in the East District from the village line to the Rt. 31 intersection. The board thought this might be a good idea and suggested we get some input from the residents in that area. Supervisor Lyon told

the board that he would write a letter to the property owners in that area and he will get back to them with the results of his inquiry.

2. Approval of Small Cities Grant Application

Lynne Green moved to approve the Town of Palmyra submit an application under the Small Cities Community Development Block Grant (CDBG) Program to extend sewers to an industrial park site on Division Street in the Town of Palmyra.

Seconded by: Michael Lambrix Carried: Unanimously

2. Division Street Sewer District – Declare Negative Declaration

The following resolution was moved by Michael Lambrix:

WHEREAS, the Town of Palmyra has previously declared its intent to serve as Lead Agency for the North Sewer District Project; and

WHEREAS, this project has been determined to be an Unlisted Action with a desired coordinated review by all involved agencies in accordance with the State Environmental Quality Review Act (SEQR); and

WHEREAS, the Town of Palmyra has duly notified all involved agencies of its intent to serve as Lead Agency for this project, and allowed for said agencies to respond to the Town's request to be Lead Agency, as required; and

WHEREAS, the Town of Palmyra has duly reviewed the long EAF, and other related documents with respect to the above captioned improvement project and has duly considered the impacts which may be expected to result from the proposed action in accordance with the criteria set forth in Article 8, 6NYCRR, Section 617.7 of the State Environmental Quality Review Act (SEQR); now

THEREFORE, be it resolved that the Town of Palmyra hereby declares itself Lead Agency for the North Sewer District Project, and

BE IT FURTHER RESOLVED; that after review of the Environmental Assessment Form, the Palmyra Town Board, acting as Lead Agency, has determined that the proposed action will not have significant environmental impact, and that a Negative Declaration of Environmental Significance shall be prepared; and

BE IT FURTHER RESOLVED; that based on this environmental review and determination of environmental significance, the Palmyra Town Board, acting as Lead Agency for the above action, hereby authorizes the supervisor to prepare a Negative Declaration of Environmental Significance for the proposed action known as the North Sewer District Project; and

BE IT FURTHER RESOLVED; THAT THE Palmyra Town Board hereby authorizes the Town Supervisor to file said Negative Declaration of Environmental Significance with the appropriate agencies, and to conclude the SEQRA process for the proposed action.

Seconded by: Lynne Green Carried: Unanimously

3. Resolution to establish the North Sewer District subject to permissive referendum

The following resolution was moved by David Nussbaumer:

RESOLUTION OF THE TOWN BOARD ESTABLISHING THE NORTH SEWER DISTRICT

A meeting of the Town Board of the Town of Palmyra was held at the Palmyra Fire Hall, in the Town of Palmyra on January 28, 1999 at 8:00 PM on the matter of the Establishment of the North Sewer District in the Town of Palmyra, pursuant to Article 12-A of the Town Law.

A map, plan and report relating to the establishment of a proposed Extension to the North Sewer 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 12-A of the Town Law.

On December 28, 1998 an Order was adopted by the Town Board reciting the filing of the map, plan and report, the boundaries of the proposed North Sewer 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 January 14, 1999 at 8:00 PM at the Palmyra Fire Hall, East Main Street, Palmyra, New York, 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 January 14, 1999, at 8:00 PM and the matter was adjourned to January 28, 1999.

Upon 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 sewer district are benefited thereby.
- C. All the property and property owners benefited are included within the limits of the proposed sewer district.
- D. The establishment of this sewer district is in the public interest.
- E. That the proposed sewer district is outside of the Village of Palmyra and any existing district.

IT IS FURTHER DETERMINED AND RESOLVED, that the sewer district, as set forth in the map, plan and reports be approved, that the requested improvement be constructed, and that the necessary easements and lands be acquired, upon the required funds being made available and provided for.

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

Commencing at a point in the north line of the Village of Palmyra approximately 500 feet west of the centerline of Division Street; thence northerly to the south line of the property known as Palmyra Air Park; thence westerly and northerly along the south and west boundaries of the Palmyra Air Park and thence continuing northerly along the east boundary of the Williams and Haak Subdivision to the north line of premises of Division Street Partners, LLC; thence easterly along the north line of premises of Division Street Partners, LLC to the west boundary of Conrail; thence southerly and easterly along the west and south boundaries of Conrail to the west boundary of New York State Route 21; thence southerly to the west boundary of New York State Route 21 to the north line of the Village of Palmyra; thence westerly along the north line of the Village Of Palmyra to the point and place of beginning.

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 Town Clerk shall cause to be published and posted in the Town, a notice that the above resolution was adopted pursuant to a permissive referendum as provided in Article 12-A 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 state "that petition was not received: suitable for filing with the County and Town, and

IT IS FURTHER RESOLVED, that the Clerk shall file a certified copy of the Order creating the sewer district within 10 days of creation of the North Sewer District with the Wayne County Clerk.

Seconded by: Lynne Green Carried: Unanimously

4. Budget Adjustment

The following budget adjustment was moved by Lynne Green:

<u>FROM</u>	<u>TO</u>
GENERALCONTINGENCY ACCOUNT A1990.4 \$ 972.46	GENERAL TOWN CLERK PERSNL SERVICES A1010.4 \$ 972.46

(The above adjustment is for the 1998 Budget. This is an adjustment from the last payroll in 1998)

Seconded by: David Nussbaumer Carried: Unanimously

Supervisor Lyon then declared a recess for the purpose of auditing the books of the Justices, the Supervisor and the Town Clerk.

Supervisor Lyon declared this meeting of the Town Board back to order.

5. Auditing of the 1998 books of Judge Abbott, Judge Rodman, Supervisor Lyon and Town Clerk, Beverly E. Hickman.

Following a audit of the 1998 books of Judge Abbott, Judge Rodman, Supervisor Lyon and Town Clerk, Beverly E. Hickman, Michael Lambrix moved to approve the auditing of all the books of the aforesaid town employees for 1998.

Seconded by: James Welch Carried: Unanimously

Following a review of the claims and expenditures, David Nussbaumer moved to approve payment of the expenditures as shown on

Abstract #1with totals as follows:

<u>Account</u>	<u>Invoice #</u>	<u>Amount</u>
General	1-44	\$ 19,891.71
Part Town	1-17	\$ 2,327.07
DA Highway	1-39	\$ 32,984.28
DB Highway	1-5	\$ 3,260.38
FW Cons. Water	1	\$ 6.55
HW Water Tank Proj	1-2	\$ 22,077.50

Seconded by: James Welch Carried: Unanimously

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

Seconded by: Michael Lambrix Carried: Unanimously

Respectfully submitted,

Beverly E. Hickman
Town Clerk