

**REGULAR MEETING OF THE TOWN BOARD**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, March 28, 2002, at the Town Hall, 1180 Canandaigua Road, Palmyra, NY, was called to order at 7:30 PM by Town Supervisor David C. Lyon.

**CALL TO ORDER**

Supervisor Lyon asked all present to join him in observing a moment of silence in memory of former Mayor Peter K. Wilson.

**MOMENT OF SILENCE – P. K. WILSON**

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 - Lynne Green  
James Welch  
Michael Lambrix

David Nussbaumer – absent, death in family

Also present at this meeting:

Nelson F. Cook – Highway Superintendent  
Robert A. Grier – Code Enforcement Officer  
Julie Philipp – Daily Messenger  
Betsy Lewis – Courier-Journal  
Jessica Pierce – Courier-Journal  
Mike Linkins 1365 Hammond Rd.

**COMMUNICATIONS**

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1. Wayne County Fair Parade  
Fireman’s Parade to be held Friday, August 16 at 7:00 PM. Invitation enclosed for parade participation. Supervisor Lyon directed the Clerk to respond that the Town Officials will participate.

2. 2002 Cropwalk  
Walk will be held Sunday, May 5, starting at 1:30 PM. Registration at Village Park at 1:00 PM. The Route Committee, chaired by R. Andrew Sloan, expects the walk to be completed by 4:00 PM, and the route remains the same as last year.

- 3. Time-Warner notification RE: franchise fees on cable modem service

In response to the Federal Communications Commission (FCC)'s ruling that cable modem services are not subject to franchise fee agreements, Time Warner will cease paying franchise fees on these services to the Town of Palmyra in ten (10) business days.

- 4. 1180 Canandaigua Road – closing

Supervisor Lyon reported the paperwork for the transfer of property at 1180 Canandaigua Road from the LDS Church to the Town of Palmyra has been completed and a closing has been scheduled for next week.

**APRV.  
MINUTES OF  
FEBRUARY 28,  
2002**

Motion by Michael Lambrix to approve the minutes of the February 28, 2002 Town Board meeting as submitted.

Seconded by: James Welch

Carried: Unanimously

**REPORTS OF STANDING COMMITTEES**

**TOURISM COM.  
UPDATE**

**Tourism and Development Committee – Lynne Green,  
Chairman**

Councilmember Green attended the workshop approved at the last board meeting to review the Tourism Study, as commissioned by Wayne County.

**Highway Committee – Michael Lambrix, Chairman**

**HIGHWAY COM  
UPDATE**

- 1. Highway Update

Highway Superintendent Nelson F. Cook reported the highway crew is preparing for the annual municipal auction and painting the inside of the garage. He submitted a report of snow plowing activities comparing 2001 to 2002. The report is as follows:

Plow report  
For Town of Palmyra

|           |                |             |            |
|-----------|----------------|-------------|------------|
| 2000-2001 | 143 runs       |             |            |
|           | regular hours  | 527.50      |            |
|           | overtime hours | 738.00      |            |
|           | sand/salt mix  | 4625.25 ton | \$52173.18 |
|           | salt           | 424.50 ton  | \$11300.22 |
| 2001-2002 | 061 runs       |             |            |
|           | regular hours  | 204.50      |            |

|                |             |            |
|----------------|-------------|------------|
| overtime hours | 325.50      |            |
| sand/salt mix  | 2120.05 ton | \$23914.22 |
| salt           | 390.25 ton  | \$10361.84 |

2. Street lighting recommendation

Motion by Councilmember Michael Lambrix to approve Highway Superintendent's recommendations regarding street lighting as follows:

**RES: STREET LIGHTING CHANGES**

#1 Temple Road and Route 21

Install 1 – 250 watt high pressure sodium luminaire on pole 31-2. Annual charge \$226.44 for light and \$26.67 for the extra long bracket. Total annual cost: \$253.11

#2 Rt. 31 – near Port Gibson

Install 2 – 150 watt high pressure sodium lights on poles 89-2A and 89-1B. Annual charge: \$157.79 each. Total annual charge: \$315.58. This job also involves removing 2 lights – the labor charged would be the actual cost to remove and is estimated to be approximately \$300.00.

#3 East Palmyra – old pumping site

Remove – 1 150 watt hps light – annual charge on account would be reduced \$157.79. The labor to remove this light would be approximately \$150 to \$200. In addition, the Town would have to pay the remaining value on the light and bracket of \$332.49. (Will be savings of \$157.79 after 3.33 years – NFC.

Second: Lynne Green

Carried: Unanimously

Supervisor Lyon directed Highway Superintendent to notify New York State Gas & Electric to proceed with the changes.

3. Auction contract

Motion by Michael Lambrix to authorize Highway Superintendent Nelson F. Cook to sign the municipal auction contract with Roy Teitsworth, Inc.

Second: James Welch

Carried: Unanimously

**RES: APPRV. AUCTION CONTRACT WITH ROY TEITSWORTH INC.**

4. Crop walk

Motion by Michael Lambrix to approve the 2002 Cropwalk for the Hungry subject to route approval by the Highway Superintendent.

Second: James Welch

Carried: Unanimously

Supervisor Lyon directed the Clerk to provide the Highway Superintendent with the route map, and the Highway Superintendent to review same and notify the Board of any concerns.

**RES: APPROV. 2002 CROP WALK**

5. Town Hall sign

As directed by the Town Board, Mr. Cook reported he is looking into replacement letters for the brick-faced sign at the road at 1180 Canandaigua Road. He has sample letters and prices, and will review with the Clerk.

**Planning Committee – David Nussbaumer, Chairman**

CEO Robert Grier’s monthly schedule for March was distributed to the Board, and will be on file at the Clerk’s office.

**AGENDA ITEMS**

**ASSESSOR’S REPORT**

1. Assessor’s Report

The Assessor’s Report for March was distributed to the Board, and will be on file at the Clerk’s office.

2. Septic Sludge Permit renewals

Septic Sludge permit renewals from Gene East and Jeff East have been received by the Clerk’s office, and are in order with all fees paid.

**APPRV: 2002 SEPTIC SLUDGE PMTS**

Motion by Michael Lambrix to approve the renewal of septic sludge permits for Eugene East, dba Gene East Septic Tank Service, 3314 Shilling Road, Marion, NY; and Jeff East, dba East’s A-1 Septic Tank Svc. & Excavating, Inc., 3333 Marion Rd., Palmyra, NY for the period of April 16, 2002 – April 15, 2003.

Second: James Welch Carried: Unanimously  
Supervisor Lyon directed the Clerk to issue Permits to both applicants.

**APPRV: EXPENSES FOR BKPR TO ATTEND FINANCE & MGMT SCHOOL**

3. Town Finance & Management School

Motion by Lynne Green to authorize paying expenses not to exceed \$400 for Bookkeeper Petra Anderson to attend the Second Annual Town Finance and Management School, to be held May 15-17 in Saratoga Springs.

Second: Michael Lambrix Carried: Unanimously

**APPRV: TEMP SUMMER RESIDENCE, LINKINS**

4. Temporary summer residence

Michael K. Linkins, 1365 Hammond Road, made application to the Board to allow a temporary residence on his property for the use of his mother, due to age and health issues. Mr. Linkins intends to have a concrete pad poured for the recreational vehicle, and to supply electric to it. Otherwise, he said the vehicle is self-contained.

Motion by Michael Lambrix to approve the storage and use as a residence of the vehicle as described in the application dated

March 25, 2002 of Michael K. Linkins for the period of May 1 to September 30, 2002.

Second: Lynne Green

Carried: Unanimously

5. Resolution: Returned Check Charge

Motion by Lynne Green to charge \$20.00 service fee for checks returned unpaid to the Town, and authorize the Town Clerk to collect such fees from the writer of the check.

Second: Michael Lambrix

Carried: Unanimously

**RES: RETURNED CHECK CHARGE**

6. Resolution: Division Street water line loop

Motion by David Lyon to approve the release of \$16,000 from the Morrison gravel fund to construct a water line completing the loop from Maple Avenue to Division Street.

Second: Michael Lambrix

Carried: Unanimously

**RES: AUTH FUNDS TO CONSTRUCT WATER LINE – MAPLE & DIVISION STS.**

7. Resolution: Set Public Hearing date

Motion by David Lyon to approve the following resolution:

**Stafford Road Sewer District Extension #1**

WHEREAS, certain areas of the Town of Palmyra adjacent to the Stafford Road Sewer District and the Village of Palmyra are not in a sewer district; and

WHEREAS, those areas should be entitled access to public sewer, and

WHEREAS, the residents in the future who may need access to public sewer can install the infrastructure necessary to service their properties without undue expense, and

WHEREAS, the Town of Palmyra has caused a map and plan of the area of the extension to the Stafford Road Sewer District to be prepared, and

WHEREAS, the Town Board desires to extend the Stafford Road Sewer District, and

WHEREAS, the Town Board of the Town of Palmyra by a Resolution dated April 9, 1998, directed MRB GROUP, the Town's Consulting Engineers to prepare a general plan, map and report to include the area to be known as Extension No. 1 to the Stafford Road Sewer District, providing access to public sewer for an area of the Town of Palmyra outside of the Village of Palmyra and existing Town Sewer Districts, and

WHEREAS, on May 11, 2000, a plan, map and report were filed in the Office of the Clerk of the Town of Palmyra showing the boundaries of the area to be benefited (using tax map identification numbers) in the proposed Extension No. 1 to the Stafford Road Sewer District, as described in Schedule "A", attached hereto, and

WHEREAS, the estimated total cost of the District Extension to the typical single-family residence therein will not exceed \$250 in the first year in which operation and maintenance of the sewer district and other charges and expenses are to be paid, and the estimated total costs of the District to the typical

**RES: SET PUBLIC HRG DATE – STAFFORD RD SEWER EXT. #1**

two-family home therein will not exceed \$500 in the first year in which operation, maintenance and other charges and expenses are to be paid, and

WHEREAS, the estimated cost of hookup fees to the typical single-family residence in said District is the sum of \$1250.00, and the estimated cost of hookup fees to the typical two-family residence in the District is the sum of \$1250.00.

NOW, THEREFORE, BE IT HEREBY ORDERED, that the Town Board of the Town of Palmyra shall meet at the East Palmyra Fire Hall on Whitbeck Rd., Palmyra, NY on the 25<sup>th</sup> day of April, 2002, at 8:00 PM for the purpose of conducting this hearing on the proposal to provide such sewer access improvements to include the areas as set forth herein. The Town Clerk is ordered to advertise the meeting as provided by law.

All interested persons shall be heard at such time and such place with either oral or written concerns regarding this subject.

### Schedule A

#### Legal Description for Extension No. 1 Stafford Road Sewer District

ALL THAT TRACT OR PARCEL OF LAND located in the Town of Palmyra outside of the Village of Palmyra, County of Wayne and State of New York, bounded and described as follows:

COMMENCING at the point of intersection of the south line of the Town of Palmyra with the centerline of Stafford Road as located in the year 2001; thence

- 1) westerly along the south line of the Town of Palmyra to the west line of the Town of Palmyra (west line of tax account parcel no. 32111-00-429872)
- 2) northerly along the west town line of Town of Palmyra 3600 ± feet to the south line of the Village of Palmyra; thence
- 3) thence easterly along the south line of the Village of Palmyra to an angle in the Village line of the Village of Palmyra; thence;
- 4) northerly and then easterly along the east and south line of the Village of Palmyra to the west line of premises now or formerly of Webster Lumber Company (being the east line of tax account parcel no. 32111-00-399263); thence
- 5) southerly along the west line of the Village of Palmyra 1260 ± feet and continuing southerly in a direct line to the northwest corner of tax account parcel no. 32110-00-551961; thence
- 6) easterly along the north line of tax account parcel no. 32110-00-551961 to an angle in the north line of said parcel; thence
- 7) southerly along the east line of tax account parcel no. 32110-00-551901 to the south town line of the Town of Palmyra; thence
- 8) westerly along the south town line of the Town of Palmyra to the point and place of beginning in the centerline of Stafford Road.

ALSO COMMENCING at the intersection of the centerline of Temple Road with an extension of the east line of the Church of Jesus Christ of Latter Day Saints as represented on a map filed in the Wayne County Clerk's Office as Map No. 14453, extended to the north; thence

- 1) easterly along the centerline of Temple Road to its intersection with the west right-of-way line of New York State Route 21; thence

- 2) southerly along the westerly boundary line of New York State Route 21 to its intersection with the south line of the County of Wayne; thence
- 3) westerly along the south line of Wayne County to its intersection with the east line of premises of the Church of Jesus Christ of Latter Day Saints; thence
- 4) northerly along the east line of the premises of Church of Jesus Christ of Latter Day Saints, to the point and place of beginning.

EXCEPTING AND RESERVING from the above-described property the following described premises:

ALL THAT TRACT AND PARCEL OF LAND, situate in Lot 43, Town of Palmyra, County of Wayne, State of New York, bounded and described as follows:

BEGINNING at a point in the centerline of Stafford Road in the County Line between the County of Ontario on the south and the County of Wayne on the north; running thence

- 1) westerly 1700 ± LF along the county line, to a point on the westerly line of tax map parcel no. (TMP) 2.00-1-1-1, thence
- 2) northerly 400 ± LF, along the westerly line of said TMP 2.00-1-1-1, to the northwest corner thereof; thence
- 3) easterly 800 ± LF, along the northerly line of said TMP, to a point marking the southwest corner of TMP 32111-00-367921; thence
- 4) northerly 750 ± LF, along the westerly line of TMP 32110-00-367921, to a point marking the northwest corner thereof; thence
- 5) easterly 650 ± LF, along the northerly line of said TMP, to a point in the centerline of Stafford Road; thence
- 6) southerly 450 ± LF, along the centerline of Stafford Road, to a point marking the northwest corner of TMP 32110-00-429870; thence
- 7) easterly 550 ± LF, along the north line of said TMP, to a point in the Lot Line between Lot No. 43 on the west and Lot No. 44 on the east; thence
- 8) southerly 700 ± LF, along said Lot Line, to a point in the County Line between the County of Wayne on the north and the County of Ontario on the south; thence
- 9) westerly 350 ± LF, along said County Line, to the point and place of beginning.

ALSO EXCEPTING AND RESERVING from the above-described parcel, the following described premises:

COMMENCING at the northwest corner of tax account parcel no. 32110-00-429872 on the east side of Stafford Road; thence

- 1) easterly a distance of 200 ± feet to a point; thence
- 2) northerly and parallel with the centerline of Stafford Road, a distance of 1200 ± feet to a point; thence
- 3) easterly a distance of 450 ± feet to a point; thence
- 4) southerly to the north line of tax account parcel no. 32110-00-429871; thence
- 5) westerly 450 ± feet to the point and place of beginning.

Second: Michael Lambrix

Carried: Unanimously

8. Authorization to hire Stuart Brown Associates & MRB Group Motion by David Lyon for authorization to hire Stuart Brown Associates to prepare a pre-application to Rural Development to

**RES: HIRE  
STUART BROWN  
ASSOC. FOR  
SHILLING/LUSK  
& GARNSEY  
RDS. WATER  
PROJ.**

request funds to construct a water line extension on parts of Shilling, Lusk and Garnsey Roads, not to exceed \$750.00.

Second: Michael Lambrix Carried: Unanimously

**RES: HIRE MRB GROUP - SHILLING/ LUSK/GARNSEY RDS. WATER PROJ.**

Motion by David Lyon for authorization to hire MRB Group, Inc., to provide preliminary engineering for public water project on Shilling, Lusk and Garnsey Roads to accompany pre-application to be prepared by Stuart Brown Associates, not to exceed \$2,200.00.

Second: Michael Lambrix Carried: Unanimously

- 9. Update Cambier Rd. water line proposal, authorization to hire MRB Group, Inc. RE: Shilling, Lusk & Garnsey Rds. Water project.

Supervisor Lyon announced the report from MRB Group on a proposed water line extension on Cambier Road showed the costs to the Town and landowners to be unacceptable. Also, barely 50% of the residents were in favor of the application. The Town will discontinue pursuit of this project at this time.

**MTN TO APPRV PMT OF VOUCHERS ABSTRACT 36**

Motion by Michael Lambrix to approve payment of vouchers and claims as shown on Abstract 36 as follows:

| Voucher #'s | Total       |
|-------------|-------------|
| 2651 - 2768 | \$72,428.48 |

Second by: James Welch Carried: Unanimously

Supervisor Lyon announced there will be an official Town Board meeting on Thursday, April 11, 2002 at 7:30 PM at the Town Hall, 1180 Canandaigua Road. The main order of business will be to authorize the hiring of a contractor for the Division Street gutter project .

**MTN TO ADJOURN**

Motion by Michael Lambrix to adjourn this meeting of the Town Board at 8:07 PM.

Second by: James Welch Carried: Unanimously

Respectfully submitted,

Catherine C. Contant  
Town Clerk