

**PUBLIC HEARING  
STAFFORD ROAD SEWER DISTRICT EXTENSION NO. 1**

**PUBLIC HRG  
– STAFFORD  
RD SEWER  
EXTENSION  
NO. 1 – CALL  
TO ORDER**

The Public Hearing scheduled to be held on Thursday, April 25, 2002 at the East Palmyra Fire Hall, Palmyra, New York to consider to proposed Extension No. 1 of the Stafford Road Sewer District No. 1 of Palmyra, Wayne County, New York State was called to order at 8:00 PM by Town Supervisor David Lyon.

Those present at this public hearing:

Town Board Members: David C. Lyon, Supervisor  
David Nussbaumer, Councilmember  
Lynne Green, Councilmember  
Michael Lambrix, Councilmember  
James Welch, Councilmember

Also present at this public hearing:

Nelson F. Cook, Superintendent of Highways  
Robert A. Grier, Code Enforcement Officer  
Betsy Lewis, *Courier-Journal*  
Carol Vander Molen, 1049 Stafford Rd.  
Anita Adams, 1065 Stafford Rd.  
Jim Adams, 1065 Stafford Rd.  
Ev Vander Molen, 1049 Stafford Rd.  
Harry Wilkins, 4728 Tellier Rd.  
Roy C. Wilck, 1561 E. Palmyra – Pt. Gibson Rd.  
Kevin Weimer, 912 Stafford Rd.  
James Milliman, East Palmyra  
Al Cator, East Palmyra  
John Rush, East Palmyra  
Jay Wilson, Palmyra  
Sylvia Lyon, Palmyra  
Rosemary Frederiksen, 1020 Canandaigua Rd.  
Brion Havert  
Gary Stemp

Motion by David Nussbaumer to waive reading of the legal notice as published in the *Courier-Journal* due to its length.

Second: Michael Lambrix Carried: Unanimously

Supervisor Lyon explained the intent of this project was to correct a proposed extension to the existing Stafford Road Sewer District No. 1, which was originally advertised for a hearing on May 11, 2000 and then was never properly created. Since the sewer line was installed there should be a proper district created. All of the area

that can be served without capital expenditure is described in the public notice.

Supervisor Lyon opened the floor to public comment.

Gary Stemp (?) asked what the real reason for creating the district is and why the sewer is being run through open fields.

Supervisor Lyon replied there are no further plans at the moment. The creation of this district extension merely cleans up the boundaries of the lands that could be served by public sewer now or in the future without further cost to the Town. Properties that can be served by public sewers must be in a sewer district according to New York State law. He said there are no lines running through open fields; the sewer runs down Temple and Stafford Roads.

Carol Vander Molen asked what a sewer district is.

Supervisor Lyon replied the district is a group of properties that are adjacent to or may be served by the public sewer line. Normally, the creation of a sewer district would mean the cost of construction would be divided among the property owners in the district. However, a property owner within this district has paid for the lines to be installed, so there are no recurring costs to the property owners in the Stafford Road Sewer District. Property owners who have connected to the sewer line will pay sewer rents quarterly; a minimum service charge and a use charge based on the amount of water consumed. There is no cost to property owners not connected to the sewer line. Again, State law requires these properties to be included in a sewer district, whether there are costs involved or not.

Jay Wilson asked if the Town could tell him he has to hook in to the sewer line if he decides to sell his house.

Supervisor Lyon replied the Town would not require anyone to hook in to the sewer line. He explained that sometimes mortgage companies require the connection as a condition of a mortgage. He also said it might make your house worth more.

Brion Havert asked about the \$250 in the notice for a single household – would that increase taxes?

Supervisor Lyon replied that the \$250 per year is a maximum for a single family residence connected to public sewer to pay in use charges; not a tax.

Mr. Havert asked about the connection fee for the first year.

Supervisor Lyon replied the reduced connection fee in the first year is an incentive for the property owners to connect while the project is still underway, necessitating clean-up be done all at once.

Mr. Havert asked if this is a forced line uphill.

Supervisor Lyon replied there are gravity feeds on both ends, and in other areas the line is pumped under pressure to the gravity lines.

Ev Vander Molen stated he thought the district had been dropped. Supervisor Lyon replied this Extension is being created to clean up the boundary lines of the district, as required by State law.

Gary Stemp asked what would happen if this does not become a sewer district.

Supervisor Lyon replied he really didn't know – it is required by the State, and the Board hasn't seen any reason not to proceed.

Brion Havert asked if there were any fees involved for people in the district not hooked into the sewer line.

Supervisor Lyon replied no.

Supervisor Lyon asked if there were any more questions or comments about the proposed Stafford Road Sewer District Extension No. 1. Hearing none, he declared the hearing closed at 8:15 PM.

**PUBLIC HRG –  
STAFFORD RD  
SEWER  
EXTENSION NO.  
1 – CLOSED**

**REGULAR MEETING OF THE TOWN BOARD**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, April 25, 2002, at the East Palmyra Fire Hall, Whitbeck Road, Palmyra, NY, was called to order at 8:15 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**

Upon roll call, the following board members were present:

**ROLL CALL**

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

Also present at this meeting:

- Nelson F. Cook – Highway Superintendent
- Robert A. Grier – Code Enforcement Officer
- Betsy Lewis – Courier-Journal
- Harry Wilkins, 4728 Tellier Rd.
- Roy C. Wilck, 1561 E. Palmyra – Pt. Gibson Rd.

James Milliman, East Palmyra  
Al Cator, East Palmyra  
John Rush, East Palmyra  
Sylvia Lyon, Palmyra

**COMMUNICA-  
TIONS**

**COMMUNICATIONS**

- 1. NYS Office of the State Comptroller - Teleconferences  
 May 21 – “Pre-Retirement seminars: An Employer Perspective  
 May 30 – “Fire District Management – Tools of the Trade: Roles and Responsibilities  
 October 3 – “Calling ALL Clerks”  
 Registration information is available in the office of the Town Clerk.
  
- 2. Wayne County Board of Elections – Inspector Schooling  
 To be held at the East Palmyra Fire Hall on Tuesday, July 23, 9:30 AM – 12:30 PM. Interested persons must attend this schooling to be certified.

**APR. MINUTES  
OF MARCH 28,  
2002 AND  
APRIL 11, 2002**

Motion by Michael Lambrix to approve the minutes of the March 28, 2002 and April 11, 2002.  
Seconded by: Lynne Green Carried: 4 Ayes  
Councilmember Nussbaumer abstained due to his absence from these meetings.

**REPORTS OF STANDING COMMITTEES**

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

- 1. Councilmember Green discussed the possibility of moving the annual Music Fest from the Village Park to the grounds of the Town Hall on June 8, due to possible conflicts with the Route 31 Reconstruction project on Main Street, or inclement weather. The Board had no objections.

**MTN: FUNDING  
FOR MUSIC  
FEST**

Motion by David Nussbaumer to provide \$150 in funding to the Palmyra Economic Development Committee in support of the 2002 Music Fest.  
Second: Michael Lambrix Carried: Unanimously

**Highway Committee – Michael Lambrix, Chair**

- 1. Superintendent of Highways Nelson F. Cook reported the highway crew is working on roadside cleanup, tree removal on Garnsey Road. Work scheduled in East Palmyra includes finishing

Cambier Road, yards, topsoil, driveway aprons, etc. He also intends to wedge, chip seal and replace guard rails on South Creek Road. Work will begin shortly on the Division Street gutters, and the road will be paved upon completion. Councilmember Lambrix asked Mr. Cook to look into a spot on Hogback Hill Road that keeps washing out.

2. Motion by Michael Lambrix to declare the following highway equipment as surplus, to be offered for sale at the Municipal Equipment Auction on May 18:

- 1993 Ford F250
- 401B Mowing tractor

Second: David Nussbaumer

Carried: Unanimously

**MTN: SURPLUS  
HWY EQUIP  
FOR AUCTION**

3. Motion by Michael Lambrix to pay expenses not to exceed \$350 for Superintendent of Highways Nelson F. Cook to attend annual Highway School at Ithaca, NY June 2 – 5.

Second: David Nussbaumer

Carried: Unanimously

**MTN: AUTH.  
EXPENSES  
FOR HWY  
SUPT. TO  
ATTEND HWY  
SCHOOL**

**Planning Committee – James Welch, Chair**

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

**Zoning Committee – David Nussbaumer, Chair**

1. Mr. Nussbaumer announced the proposed Zoning Ordinance had been distributed to Board Members, and he would like to pick them up next week with their suggestions. Supervisor Lyon asked about progress on the Master Plan, as that must be adopted prior to the new Zoning Ordinance. Mr. Nussbaumer stated the Master Plan Committee had not yet started work, that he would be talking with the Village Mayor next week.

**AGENDA ITEMS**

4. Stafford Road Sewer District Extension No. 1 – Subject of Public Hearing

Motion by David Lyon, Second by David Nussbaumer:

**RES: APPR.  
STAFFORD RD  
SEWER DIST.  
EXT. NO. 1 –  
SUBJ OF  
PUBLIC HRG**

A RESOLUTION AUTHORIZING THE CREATION OF  
EXTENSION NO. 1 TO THE STAFFORD ROAD SEWER  
DISTRICT NO. 1 IN THE TOWN OF PALMYRA,  
WAYNE COUNTY, NEW YORK STATE

WHEREAS, by proceedings heretofore duly had and taken, the Town Board of the Town of Palmyra, Wayne County, New York, has duly established the creation of Extension No. 1 of the Stafford Road Sewer District No. 1; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Palmyra, Wayne County, New York, as follows:

1. That the boundaries of the Extension No. 1 of the Stafford Road Sewer District No. 1 within the Town of Palmyra are as shown on Schedule "A" attached hereto.
2. That there are no sums to be paid for capital improvement and no bonds are to be issued.
3. That the estimated total cost of the Extension No. 1 of the Stafford Road Sewer District No. 1 in the construction of the sewer system and/or the acquisition of the land or improvement is zero dollars (\$0) as the improvements will be constructed by an Owner of the real property within the District and thereafter to be dedicated to the Town.
4. Pursuant to Section 202 of the Town Law the cost of construction of said Extension No. 1 of the Stafford Road Sewer District No. 1 shall be assessed by the Town Board to all the properties located within the District on a Benefit basis.

This Resolution, which takes effect immediately, shall be published in full in the *Courier-Journal*, the official newspaper, together with a notice of the Town Clerk.

#### 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
- 2) northerly along the west town line of Town of Palmyra 4700± 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 north right of way line of Temple Road; thence
- 8) easterly along the north line of Temple Road to its intersection with the west line of NYS Route 21; thence
- 9) southerly along the west line of NYS Route 21 to the south town line
- 10) westerly along the south town line of the Town of Palmyra to the point and place of beginning.

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

ALL THAT TRACT OR 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.

Roll Call Vote:

Supervisor, David Lyon	Voting Aye
Councilperson David Nussbaumer	Voting Aye
Councilperson Lynne Green	Voting Aye
Councilperson Michael Lambrix	Voting Aye
Councilperson James Welch	Voting Aye

Resolution adopted.

**RES:  
TRANSFER  
PROPERTY AT  
4763 TELLIER  
RD.**

5. Transfer of property at 4763 Tellier Road  
Motion by David Lyon:

**WHEREAS**, the Town of Palmyra by Resolution authorized the abandonment and sale of a small parcel at 4763 Tellier Road consisting of .07 acre of vacant land, and

**WHEREAS**, the Town has received an offer of \$500.00 for the land requiring the Town only to furnish a deed, pay the revenue stamps and the cost of the capital gains report and relieving the Town from any obligation to survey the premises or furnish an abstract of title or to incur any other additional costs.

**NOW, THEREFORE**, be it resolved that the Town sell to Anthony Wayne Caster for \$500.00 a vacant parcel upon the terms and conditions outlined above, and

**BE IT FURTHER RESOLVED** that the Supervisor is authorized to execute and deliver a deed upon the above conditions and upon receipt of a check for \$500.00.

Second: Michael Lambrix                      Carried: Unanimously

**RES: LGRMI  
FUND**

3. Resolution: Local Government Records Management  
Improvement Fund

Motion by David Lyon to adopt the following Resolution:

**RESOLUTION AGAINST THE PROPOSED INCREASE IN THE LOCAL  
GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND**

**WHEREAS**, The Governor has proposed to remove certain offices overseeing Cultural Education from the New York State Education Department, incorporating these in an entirely new Institute for Cultural Education; and

**WHEREAS**, in order to fund this Institute; including the State Archives, State Library, State Museum and State Office for Public Broadcasting, New York State will need to raise millions of dollars in capital investment and plans to do this by quadrupling the present five dollars collected by all County Clerks and the Registrar of the City of New York on all recorded, indexed and entered documents to twenty dollars, effective July 1, 2002; and



**WHEREAS**, the Local Government Records Management Improvement Fund was created in 1989 to support grants and technical assistance to local governments to improve and enhance the management of their records and information, and

**WHEREAS**, said fee increase would provide no improvement in service for the taxpayers paying the fee, nor any additional benefits to the local governments that must collect said fee increase; and

**WHEREAS**, no demonstrated benefit has been identified in the relocation of these functions to the proposed Institute, in contrast to the highly effective and beneficial relationship that local governments now enjoy with the New York State Education Department, now be it hereby

**RESOLVED**, by the Town of Palmyra, that this body stands firmly opposed to this proposal; and be it further

**RESOLVED**, that a copy of this resolution be delivered to the Governor, the New York State Legislature and all others deemed necessary and proper, and we urge them to likewise oppose this proposal.

Second: David Nussbaumer

Carried: Unanimously

4. Temporary summer residence

Eleanor VanDelinder, 1350 Hammond Road, made application to the Board to allow a temporary residence on her property for the use of her brother-in-law as a summer residence. The Applicant has applied for same permit in previous years, and such permit has been granted.

Motion by David Nussbaumer to approve the temporary storage and use as a residence of the vehicle as described in the application dated April 12, 2002 of Eleanor VanDelinder for the period of May 25 to September 7, 2002.

Second: Michael Lambrix

Carried: Unanimously

5. Declare surplus equipment

Motion by David Nussbaumer to declare the following furniture and equipment as surplus to be offered for sale at the Municipal Equipment Auction on May 18, 2002:

MISC.

- APC BACKUP
- SILVEREED TYPEWRITER
- OPEN WOODEN BOOKCASE
- ROLLING FILE
- WOODEN BOOKCASE
- MICROWAVE CART
- (2) 2 DRAWER METAL FILES
- METAL DESK
- 2 CUPBOARD CABINET
- 3 DRAWER CABINET

PB9816499195  
EX200

MONITORS

**MTN: APPRV.  
TEMP.  
SUMMER  
RESIDENCE –  
VANDELINDER**

**MTN:  
DECLARE  
SURPLUS  
FURNITURE &  
EQUIPMENT  
FOR AUCTION**

GATEWAY EV700	17004A681054
GATEWAY VIVITRON 15	8078288
DELL 320-2561	7753TPOB4299
GATEWAY EV500	15025C039103
GATEWAY EV700	17004A679597

PRINTERS	
CANON BJC2000	EWV65843
HP LASER JET 6L	USHB143801
STAR	XB-2425
EPSON	LQ570+

CPU	
GATEWAY P5133	6776839
GATEWAY P5-90	4026786
GATEWAY P55C-233	8738772
PENTIUM P5-166	6672944
GATEWAY PFFC200	8061492

Second: James Welch Carried: Unanimously

**RES:  
SERIAL  
BOND  
\$450,000  
TOWN  
FACILITIES**

6. Resolution: Serial Bond

Motion by Michael Lambrix to authorize the Supervisor to sign the Serial Bond for Town Facilities in the amount of \$450,000, to be paid in twenty equal annual installments of \$36, 112.50 beginning on May 1, 2003 with interest at the rate of 5% per annum, payable at maturity, on or before May 1, 2002.

Second: David Nussbaumer Carried: Unanimously

**MTN: APR  
ABSTRACT  
37**

Motion by David Nussbaumer to approve payment of vouchers and claims as shown on Abstract 37 as follows:

Voucher #'s	Total
2769 - 2846	\$34,093.47

Second by: Michael Lambrix Carried: Unanimously

Supervisor Lyon announced the next official Town Board meeting will be held on Thursday, May 23, 2002 at 8:00 PM at the Town Hall, 1180 Canandaigua Road.

**MTN TO  
ADJ**

Motion by Michael Lambrix to adjourn this meeting of the Town Board at 8:37 PM.

Second by: James Welch Carried: Unanimously

Respectfully submitted,

Catherine C. Contant  
Town Clerk