

TOWN BOARD WORKSHOP MEETING
WITH BUSINESS

7:30 PM – Public Information Meeting – Division Street
Sewer Project

8:30 PM – Mark Sertle – Senior Citizen Housing project

The workshop meeting with business of the Town Board,
Town of Palmyra, scheduled to be held on Thursday, December
09, 1999, at the Palmyra Fire Hall, East Main Street, Palmyra, was
called to order at 8:45 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 was absent)

AGENDA ITEMS

1. Swift's Cemetery

Supervisor Lyon proposed to the Board that they have the
Village Cemetery Crew take care of Swift's Cemetery. The
Board agreed with this. Supervisor Lyon told the Board that he
will send a letter to Terry Vanderwall thanking him for the
dedication and service he gave us while he was mowing same.

2. CSX Administrative Costs

Supervisor Lyon explained to those present that CSX
Transportation will bill us annually for our wireline and pipeline
crossings or we can take the total annual fee times 19 for our
approximate one-time lump sum cost, which in this case would
be \$1900.00. David Nussbaumer moved to pay \$1900.00 to
CSX Transportation for a one-time lump sum cost.

Seconded by: Lynne Green Carried: Unanimously

3. Reso: North Creek Road Final Notice of Intent

David Nussbaumer moved the following resolution:

The Town Board of the Town of Palmyra on behalf of the Town of Palmyra does hereby certify to the commissioner of Agriculture of the State of New York that the Town of Palmyra has by resolution made a finding that the requirements of Section 305 (4) of the Agriculture and Markets Law of the State of New York have been met, and that consistent with social, economic, and other essential considerations to the maximum extent practicable, the adverse impacts revealed in the notice of intent process will be minimized or avoided.

The reasons supporting such findings are as follows:

- A. The final plan reflects that the water transmission main will only affect one active farm and that no water services shall be connected to his main.
- B. Any construction within the confines of a working farm will be 5' below the level of the surface and will not interfere with the working of the agricultural land. Where practicable, work will be completed on any agricultural land when it will not interfere with growing crops.
- C. The Palmyra Town Board continues to work with the Town Zoning Board and the Town Planning Board to provide strategies and alternatives designed specifically to advance the preservation of unique agricultural land and sensitive open space within the Town.
- D. That the Board finds it has, to the extent practicable, minimized adverse impact on agricultural lands by:
 1. Avoiding construction within agricultural lands where possible.
 2. Surveying and making an inventory of operating farms within the proposed water district so that any possible erosion of available agricultural lands can be monitored and where practicable eliminated.
 3. Enforcing compliance with assessment requirements for land removed from agricultural production.

Seconded by: Lynne Green Carried: Unanimously

4. Set Public Hearing date for Ext. #4 to the Central Water District

David Nussbaumer moved to set a public hearing date of Tuesday, December 28, 1999 at 7:30 PM at the Town Office, 201 E. Main Street, Palmyra, to consider the application for Extension #4 to the Central Water District.

Seconded by: Lynne Green Carried: Unanimously

5. Final Order – Creation of Sewer District On Stafford Road

The following resolution was moved by Lynne Green:

**FINAL ORDER
IN THE MATTER
OF THE CREATION OF THE STAFFORD ROAD
SEWER DISTRICT NO. 1 IN THE TOWN OF PALMYRA,
COUNTY OF WAYNE, STATE OF NEW YORK**

A Petition and map having been presented to the Town Board of the Town of Palmyra on July 23, 1998, and the Town Consulting Engineers having prepared a report for providing the facilities, improvements, or services in a portion of the Town of Palmyra, wherein the Stafford Road Sewer District No. 1, hereinafter described, was proposed to be established, and said map, plan, and report having duly been filed in the office of the Town Clerk on August 27, 1998, and an order having been duly adopted by said Town Board on August 27, 1998 reciting the description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvements, the proposed method of financing to be employed, the fact that a plan, map and report describing the same are on file in the Town Clerk's Office for public inspection, and specifying that said Town Board shall meet at 201 East Main Street, Palmyra, New York, on the 27th day of August, 1998, for the purpose of conducting a public hearing on such proposal to establish the sewer district with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and a hearing having been duly held by said Board at such time and place, and it having been duly resolved and determined following such hearing that the notice of hearing was published and posted as required by law and otherwise sufficient, that all the property and property owners within the proposed district were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and that the proposed Stafford Road Sewer District No. 1 is outside the incorporated Village and it having been then and there further duly resolved that the establishment of such sewer district as proposed he approved, subject to a permissive referendum in the manner provided in Article 7 of the Town Law, and a certificate of the Town Clerk having been filed pursuant to Article 12A of the Town Law, that no petition had been filed requiring a referendum and no referendum was demanded thereafter and the approval of the Department of Audit and Control not being required pursuant to the 1995 laws of the State of New York; it is hereby

ORDERED, that a Sewer District be established in the said Town of Palmyra, Wayne County, New York, to be designated as the Stafford Road Sewer District No. 1 of the Town of Palmyra and that the boundaries of the Stafford Road Sewer District No. 1 within the Town of Palmyra are as shown on Schedule "A" attached hereto; and it is further

ORDERED, that there are no sums to be paid for capital improvement and no bonds are to be issued; and it is further

ORDERED that the estimated total cost 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 the Owner of the real property within the District and thereafter to be dedicated to the Town; and it is further

ORDERED, that pursuant to applicable laws and rules, the benefited properties shall pay from time to time the cost of operation and maintenance; and it is further

ORDERED, that the Town Clerk of the Town of Palmyra is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of the County of Wayne, in which the Town of Palmyra is located, within 10 days after the adoption of this order; and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to file a certified copy of this order in the Office of the State Department of Audit and Control, Albany, New York within 10 days after the adoption of this order.

SCHEDULE A
Description of Proposed Stafford Road Sanitary Sewer District

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 point 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.

Dated: January 9, 1999

David C. Lyon, Supervisor

Seconded by: David Nussbaumer Carried: Unanimously

6. Reso: Authorizing Supervisor to sign contract with DEC (\$35,000 grant)

Lynne Green moved to authorize David C. Lyon, Town Supervisor, to sign the contract with DEC regarding our \$35,000.00 grant.

Seconded by: James Welch Carried: Unanimously

7. Audit of electric, fuel, local and long distance calls, water accounts, etc.

The company of Troy & Banks, Utility and Telecommunication Consultants, has contacted the town regarding the auditing of our utilities and telecommunications at no charge to the town. If a error is found, in the Town's favor, this company will keep 50% of the overage amount as their fee. Otherwise there will be no fee involved in this project. The Board agreed to have Troy & Bank look into this matter since there is no charge to the Town.

8. Training School for elected officials

This information has been sent to all elected officials. If anyone is interested in attending this schooling please notify the Town Clerk in order for arrangements to be made.

9. Dedication of Temple Road

Lynne Green moved to authorize the signing of all paperwork relating to the dedicating of Temple Road by the Church of Jesus Christ of Latter Day Saints to the Town of Palmyra.

Seconded by: David Nussbaumer Carried: Unanimously

10. Reso: Pump station for Stafford Road Sewer District

The following resolution was offered by David Nussbaumer:

WHEREAS, the Stafford Road Sewer District requires a pump station to operate effectively; and
WHEREAS, one has been constructed and will be conveyed to the Town of Palmyra without consideration by the Corporation of the Presiding Bishop of the church

of Jesus Christ of latter Day Saints, a Utah Corporation Sole; and

WHEREAS, the Town needs an easement to the pump station and dedication of the sewer line within the right of way of the highway to be dedicated to the Town, and

WHEREAS, there has been a water line installed within the right of way line of the road to be dedicated.

NOW THEREFORE BE IT RESOLVED, that the Town will accept the easement from Stafford Road to the pump station and all improvements located within the easement area; and

BE IT FURTHER RESOLVED, that upon receipt of a letter of recommendation to accept the water and sewer improvements from the Town Consulting Engineers, the Town shall accept dedication of the water and sewer lines within the confines of the highway; and

BE IT FURTHER RESOLVED, that the Town shall forward a copy of this Resolution and a letter of appreciation to the Corporation of the Presiding Bishop of the church of Jesus Christ of Latter Day Saints, a Utah Corporation Sole and also shall reimburse the Corporation of the Presiding Bishop of the church of Jesus Christ of Latter Day Saints, a Utah Corporation Sole for certain items installed by the Corporation of the Presiding Bishop of the church of Jesus Christ of latter Day Saints, a Utah Corporation Sole for the benefit of the Town of Palmyra.

Seconded by: Lynne Green Carried: Unanimously

Supervisor Lyon told the Board that a committee had been formed consisting of residents of the Town, of the Village, member of Historic Palmyra, etc., to pursue possibilities of office space for the Town and the Village of Palmyra. He will keep them informed of any progress.

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

MOTION
TO
ADJOURN

Seconded by: Lynne Green

Carried: Unanimously
Respectfully submitted,

Beverly E. Hickman
Town Clerk