

**REGULAR MEETING OF THE TOWN BOARD**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, April 11, 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 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, vacation

Also present at this meeting:  
Nelson F. Cook – Highway Superintendent

**COMMUNICATIONS**

1. NYS Office of the State Comptroller - Teleconference "Avoiding Conflicts of Interest" to be held Thursday, April 25, 6:15 PM Registration, at Wayne County CCE, 1581 Route 8 North, Newark, NY.

**COMMUNICATIONS**

2. 2002 Canal Town Days celebration postponed  
Notice from Canal Town Days Committee – due to road reconstruction on Main Street and no good alternative site, the festival will be postponed to September, 2003.

**AGENDA ITEMS**

- 1. Bid Approval – Division Street gutter project

**RES: BID APPR. DIVISION ST. GUTTER PROJ.**

Summarizing letter from Martin Mroczek, MRB Group, Inc.:

Four bids received and opened on April 5, 2002 –

- 1) 104 Contractors, Inc. \$48,600.00
- 2) GA Falcone Construction, Inc. \$52,265.00
- 3) Hynes Concrete Contractors, Inc. \$57,520.00
- 4) JRT Concrete, Inc. \$65,040.00

“We have worked with 104 Contractors, Inc., in the past, and have found them capable of completing a project such as this, pursuant to the plans and specifications.

“We therefore recommend, if budgetary constraints allow, that project be awarded to 104 Contractors, Inc., for the bid price of \$48,600.00.”

Motion by Michael Lambrix, upon recommendation from MRB Group, Inc. to award Division Street Gutter Project contract to 104 Contractors, Inc. according to bid specifications, MRB Project No. 160064, in the amount of \$48,600.

Second: James Welch

Carried: Unanimously

2. Division St. Water Loop Project – Lead Agency

**DIVISION  
ST WATER  
LOOP  
PROJ –  
DECL OF  
LEAD  
AGENCY**

Motion by Michael Lambrix to declare the Town of Palmyra as lead agency on the Division Street Water Main Connection (water loop) project, as a short form environmental assessment has been received by the Town of Palmyra, prepared by MRB Group and Paul T. Rubery, the town’s attorney in this matter. The SEQR is for an emergency unclassified action, and shows no consequences of the proposed project.

Second: Lynne Green

Carried: Unanimously

3. Division St. Water Loop Project – agreement with WCWSA

**DIVISION  
ST WATER  
LOOP  
PROJ –  
AGR WITH  
WCWSA**

Motion by Lynne Green to approve the Construction Services Agreement dated April 11, 2002 with Wayne County Water and Sewer Authority to install the water main on Division Street and Maple Avenue as described in the agreement.

Second: Michael Lambrix

Carried: Unanimously

4. Division St. Water Loop Project – agreement with Paul T. Freund Corp.

**DIVISION  
ST WATER  
LOOP  
PROJ –  
AGR WITH  
PAUL T.  
FREUND  
CORP.**

Motion by Michael Lambrix to approve the agreement with Paul T. Freund Corp. dated April 11, 2002 which reads in part:

“Division Street Partners LLC, will loan the monetary shortfall or shortage to the Town of Palmyra, for the installation of the balance of Division Street Maple Ave. waterline loop. We understand funds from the Morrison/SanFillipo will reimburse us, when available. We would like to thank all the parties involved for solving our lack of water pressure on short notice.”

Second: James Welch

Carried: Unanimously

5. Stafford Rd. Sewer Ext. #1 – amended description

**STAFFORD  
RD SEWER  
EXT. #1 –  
AMENDED  
DESCRIP-  
TION**

Motion by Michael Lambrix to correct the record as follows:

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 August 10, 1998 and 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, there are no sums to be paid for capital improvements and no bonds to be issued, 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 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 \$1,250, and the estimated cost of hookup fees to the typical two-family residence in the District is the sum of \$1250, and

WHEREAS, pursuant to Section 202 of the Town Law, the cost of construction of said Extension No.1 of the Stafford Road Sewer District shall be assessed by the Town Board to all properties located within the district on a benefit basis.

NOW, THEREFORE, BE IT HEREBY ORDERED, that the Town Board of the Town of Palmyra shall meet at the East Palmyra Fire Hall, Whitbeck Road, 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.

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.

Second: Lynne Green

Carried: Unanimously

Motion by Michael Lambrix to adjourn this meeting of the Town Board at 7:42 PM.

**MOTION TO  
ADJOURN**

Second by: James Welch

Carried: Unanimously

Respectfully submitted,

Catherine C. Contant  
Town Clerk