

# **Community Facilities and Services**

## **GOAL:**

- A. Provide high-quality municipal services in a cost-efficient and effective manner.**

# Existing Conditions

## Municipal Facilities and Services

The locations of community and governmental facilities are depicted on Map 16.

**Fayette Town Hall**—The Fayette Town Hall is located at 1439 Yellow Tavern Road. The Town Hall is a relatively new building in good condition. The building contains the offices of the Town Clerk and Town Bookkeeper and a meeting room used by the Town Board, Town Planning Board, the Zoning Board of Appeals and the Town Court. The Fayette Town Board and Town Planning Board meet monthly; the Zoning Board of Appeals meets as needed.

The Town Hall is open to the public weekdays between 10:00 a.m. and 4:00 p.m. when the Town Bookkeeper is on duty. The Town Clerk has office hours Monday and Thursday between 4:00 p.m. and 6:00 p.m. The Town Clerk is responsible for maintaining Town records and documents and for recording Town Board meeting minutes. The Town Clerk also serves as the Register of Vital Statistics and has additional duties which include issuing marriage licenses, hunting and fishing licenses, dog licenses, and birth and death certificates. The Town Tax Collector and Zoning Enforcement Officer work from their homes as they have no offices at the Town Hall. Town Court is held Wednesday evenings of each week.

**Varick Town Hall**—The Varick Town Hall is located at 5342 East Lake Road. The Town Hall is an older, concrete block structure to which additions have been constructed piecemeal. The building contains the offices of the Town Clerk and Bookkeeper as well as a meeting room used by the Town Board, Town Planning Board, Zoning Board of Appeals and Town Court. The Town Board meets monthly, the Town Planning Board meets bimonthly and the Zoning Board of Appeals meets as needed. Town Court is held weekly on Thursday evenings.

The Town Clerk's office is open on Tuesday evenings from 4:00 p.m. to 7:00 p.m. and on Wednesdays and Thursdays 10:00 a.m. to 2:00 p.m. The Town Clerk is responsible for maintaining Town records and documents and for recording the meeting minutes of the Town Board. The Town Clerk also serves as the Tax Collector and as the Registrar of Vital Statistics and is responsible for issuing marriage licenses, hunting and fishing licenses, dog licenses and birth and death certificates. The Town of Varick contracts with the Town of Romulus to do the billing for water customers served by the Varick municipal water system. The Zoning Officer works from his home as he has no office at the Town Hall.

## Code Enforcement

The Towns of Fayette and Varick both enacted local laws in the early 1980s to opt out of enforcing the NYS Fire Prevention and Building Code as did many of the other municipalities in Seneca County. Accordingly, the responsibility for enforcement fell to Seneca County. The Seneca County Department of Health is the agency that enforces the NYS Code within the County.

## Town Assessors

The Towns of Fayette and Varick both participate in Consolidated Assessment Programs (CAP), a NYS Department of Real Property Services program that permits municipalities to work together as a single assessing unit. Although a separate tax roll is prepared for each participating municipality and each appoints its own Board of Assessment Review, the participating municipalities are considered to be in a single assessment unit with one equalization rate applicable district-wide. CAP provides an affordable means for small, rural municipalities to hire a certified assessor by sharing the cost for the position.

## **ROLES AND RESPONSIBILITIES OF TOWN BOARDS**

Townships are local government entities created by the State of New York and, therefore, may exercise only those powers and duties authorized by NYS law. The powers and authority delegated to town governments is divided among various boards including the Town Board, Town Planning Board, Zoning Board of Appeals and Board of Assessment Review as described below.

### **Town Board**

Town Boards are comprised of the Town Supervisor and the Town Councilmen all of whom are elected officials. The Town Supervisor serves as the chief executive and financial officer of the municipality and as the chairman for Town Board meetings. The Town Board serves as the municipal governing body. The general powers of the Town Board include: (1) controlling town finances, (2) acquiring and conveying real property, (3) acquiring and selling personal property, (4) indemnifying the town against losses from injuries to persons or damage to private property, (5) removing fire and health hazards and weeds, (6) awarding and executing town contracts, (7) granting franchises, (8) accepting gifts made to the town, (9) naming roads, (10) authorizing the purchase and installation of traffic control devices on town roads, (11) establishing regulations for the preservation and protection of historic structures and places, (12) promoting the cultural development of town residents, and (13) adopting comprehensive plans and zoning (land use) regulations.

NYS law also authorizes Town Boards to issue special use zoning permits and approve site plans and plans for the subdivision of land. NYS law permits Town Boards to delegate the authority to perform these duties to the Town Planning Board or Zoning Board of Appeals which is commonly done.

### **Town Planning Board**

Town Planning Board members are appointed by the Town Board for specific terms of office. The Town Planning Board has responsibility to advise the Town Board on matters pertaining to planning, land use, and zoning. The Town Planning Board may also have responsibility for issuing special use zoning permits, approving site plans and subdivision plans if authorized by the Town Board to do so.

### **Zoning Board of Appeals**

The Zoning Board of Appeals members are appointed by the Town Board for specific terms of office. The Zoning Board of Appeals is a quasi-judicial body that conducts hearings on appeals made by property owners over zoning decisions, interpretations and determinations made by the Zoning Officer. The Zoning Board of Appeals has the authority to overturn the decision of the Zoning Officer and to grant variances from zoning regulations as to use restrictions and minimum dimensional requirements. If authorized by the Town Board, the Zoning Board of Appeals may also issue special use permits and approve site plans.

### **Board of Assessment Review**

The members of the Board of Assessment Review are appointed by the Town Board for specific terms of office. The Board of Assessment Review is a quasi-judicial body. The Board of Assessment Review conducts hearings on appeals brought by property owners who are disputing the assessed values the Town Assessor has placed on the property owners' real properties. The Board of Assessment Review has the authority to reduce the assessed value of the property if the Board determines the value placed on the property by the Assessor is too great.



### Residents Survey Highlights

Survey respondents were asked about their satisfaction with various community service with the following results:

#### **Road Maintenance and Repair**

9.8% of Fayette respondents were very satisfied and 26.6% were somewhat satisfied.

21.8% of Varick respondents were very satisfied and 40.4% were somewhat satisfied.

#### **Snow Plowing**

27.5% of Fayette respondents were very satisfied and 39.3% were somewhat satisfied.

37.4% of Varick respondents were very satisfied and 44.4% were somewhat satisfied.

#### **Building and Zoning Enforcement**

14.9% of Fayette respondents were very satisfied and 36.4% were somewhat satisfied.

16.4% of Varick respondents were very satisfied and 38.9% were somewhat dissatisfied.

Seneca County CAP No. 1 is comprised of the Towns of Fayette and Seneca Falls. The Assessor's office for CAP No. 1 is temporary located in the Seneca County Office Building in the Village of Waterloo. Seneca County CAP No. 3 is comprised of the Towns of Varick, Covert, Lodi, Ovid and Romulus. The Assessor's office for CAP No. 3 is located in a downtown storefront in the Village of Ovid.

#### **Town Courts**

The Town of Fayette has a Town Justice and a part-time Court Clerk. Fayette Town Court is conducted on Wednesday evenings at 7:00 p.m. The Fayette Town Court is held in the Fayette Town Hall meeting room.

The Town of Varick has a Town Justice and a part-time Court Clerk. Varick Town Court is conducted on Thursday evenings at 7:30 p.m. The Varick Town Court is held in the Varick Town Hall meeting room.

#### **Town Highway Departments**

Fayette Highway Department—The Fayette Highway Department facilities are located on Yellow Mills Road adjacent to the Fayette Town Hall. The Highway Department utilizes two connected buildings, an older concrete-block building constructed in the 1950s and a metal-sided pole barn constructed in the 1970s. The Highway Department has no salt storage facility; salt is mixed with sand and stored outdoors.

The Highway Department operates with the Superintendent, two full-time employees and one part-time employee. An additional part-time employee is hired to work during the summers.

The Fayette Highway Department has responsibility for maintaining Town roads, bridges and drainage ditches. During winter months, the Fayette Highway Department has responsibility for plowing snow and salting not only Town roads, but also County roads in accord with a contractual agreement between Seneca County and the Town of Fayette. The NYS Department of Transportation is responsible for the maintenance of State highways including snow removal. The Fayette Highway Department also maintains Jerusalem Cemetery and Town buildings. Although the department has no mechanic, employees maintain and repair highway equipment to the extent to which they are capable.

The Varick Highway Department—The Varick highway garage is located on Route 96 attached to the Fayette Town Hall. The concrete block garage was constructed the at the same time as the Town Hall and is used for housing the Department's larger motorize equip-

ment. Another building, a pole barn, used for cold storage of smaller equipment was constructed in the mid 1970s. The Town has no salt storage facility; salt is mixed with sand and is stored outdoors. The Highway Department also has a 500 gallon diesel fuel tank and a 300 gasoline tank with pumps for fueling Town vehicles.

The Highway Department operates with a Superintendent and one full-time employee. During the summer months, the work crew is supplemented with two part-time employees. The Highway Department is responsible for maintaining Town roads, drainage ditches and bridges. During winter months, the Highway Department is responsible for plowing snow and salting Town roads. Seneca County plows and salts County roads within the Town of Varick and the NYS Department of Transportation plows and salts the State highways that traverse the township. Mechanical work beyond the ability of Highway Department employees is typically sent to the manufacturer or manufacturer's representative. There are no cemeteries within the Town of Varick that the Town Highway Department has responsibility to maintain.

### Public Safety

#### Police Service

Law enforcement services in Fayette and Varick are performed by the Seneca County Sheriff's Department and the New York State Police. Currently, the Sheriff's Department and County Jail are located in the Village of Waterloo. Construction of the Seneca County Law Enforcement Center on Route 96 immediately north of the Five Points State Correctional Facility began in 2005. When completed in 2007, the building will serve as the new headquarters for the Sheriff's Department and will house the County Jail. After the Sheriff's Department relocates to the new facility, a substation will be maintained in the existing facility in Waterloo. The State Police that serve Seneca County are headquartered on Routes 5 & 20 west of the Village of Waterloo. Dispatching for both law enforcement agencies is performed by the Sheriff's Department which uses the closest-car policy.

The Seneca County Sheriff's Department has responsibility for patrolling the eastern half of Seneca Lake and the western half of Cayuga Lake. The department has one patrol boat for this purpose which is shuttled back and forth between the lakes. In addition to the patrol boat, the Sheriff's Department also has a former Coast Guard buoy tender which is used for recovery operations.

#### Fire Service

Six volunteer fire departments serve various portions of the Towns of Fayette and Varick. The Fire Departments are described below



### Residents Survey Highlights

*Survey respondents were asked about their satisfaction with various community service with the following results:*

#### **Fire Protection**

*60.5% of Fayette respondents were very satisfied and 27.6% somewhat satisfied.*

*61.0% of Varick respondents were very satisfied and 27.5% were somewhat satisfied.*

#### **Ambulance Service**

*35.6% of Fayette respondents were very satisfied and 35.5% were somewhat satisfied.*

*33.0% of Varick respondents were very satisfied and 39.9% somewhat satisfied.*

## **Community Facilities and Services**

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and the areas of the Towns of Fayette and Varick each fire department serves is depicted on Map 17. All fire Departments in Seneca County are members of the County's mutual aid plan and assist each other as needed. Fire service dispatching is also provided by the Seneca County Sheriff's Department.

Border City Fire Department—The Fire Department has two fire stations. One is at 3000 Fallbrook Street on the eastern outskirts of the City of Geneva; the other is at 3400 Waterloo-Geneva Road (Routes 5 & 20). The Fallbrook Street station houses a pumper truck and a mini rescue truck which is occasionally used for bush fires. The Fallbrook fire station was built in the mid 1980s. The Waterloo-Geneva Road station houses a pumper truck, two rescue trucks, a boat, and a trailer containing SCUBA diving gear. The building was reconstructed in the mid 1970s following a fire that destroyed the original building. Both fire stations contain meeting/training rooms, dayrooms, offices and kitchens.

The Border City Fire Department is comprised of two separate organizations, a Fire District with a Board of Fire Commissioners (a quasi-governmental agency) and a membership organization. Funding for the department is principally provided through property taxes levied by the Board of Fire Commissioners. The membership organization is comprised of approximately 35 active members. Fire trucks from both stations are dispatched concurrently for fire calls.

Canoga Fire Department— The Fire Hall is located at 3576 Route 89 in the Hamlet of Canoga. The Fire Hall was constructed in the late 1940s with an addition constructed in the mid 1960s. The Fire Hall houses two pumper trucks, a tanker truck and a heavy rescue truck. The building contains a meeting/training room and kitchen, but no office or dayroom. The Fire Hall is owned by the Fire Department and fairly well meets its needs, although the building is used to capacity.

Most of the Fire Department's operating revenue is provided by the Town of Fayette through a contractual agreement for services, supplemented by fund raising events. The Canoga Fire Department is comprised of approximately 20 active members.

Waterloo Fire Department—The Fire Hall, constructed in the early 1990s, is located at 39 East Water Street in the Village of Waterloo. The Fire Hall houses two pumper trucks, a tanker truck, a heavy duty rescue truck, a 4-wheel drive, brush truck and a multipurpose transport van. The building contains a meeting/training room, offices, dayroom and kitchen.

The Waterloo Fire Department is sponsored and funded by the Village of Waterloo. The Town of Fayette contracts with the Village of Waterloo for fire service to be provided in a portion of the Town of Fayette. The Waterloo Fire Department is comprised of approximately 40 active members.

Fayette Fire Department—The Fayette Fire Hall is located on Route 414 immediately north of the Hamlet of Fayette. The Fire Hall houses two pumper trucks, a tanker truck and a small transport van. The Fire Hall, constructed in 2003, contains a large meeting hall, smaller meeting/training room, a dayroom, kitchen and offices.

The Fayette Fire Department is comprised of a Fire District, a quasi-governmental agency with a Board of Fire Commissioners, and a volunteer membership organization. Funding principally comes from property taxes levied by the Board on property within the Fire District. The membership organization has approximately 25 active members. The Fire District owns the apparatus, but leases the Fire Hall from the membership organization.

Romulus Fire Department— The Romulus Fire Hall is located at 2010 Cayuga Street in the Hamlet of Romulus. The Fire Hall houses two pumper trucks, a tanker truck, and light-duty and heavy-duty rescue

trucks. The original part of the fire hall was constructed in the mid 1980s. An addition was constructed in 2004, but the interior has not yet completed. The Fire Hall, when completed, will contain a meeting/training room, offices, dayroom, and fitness room. The building meets current and anticipated needs of the Fire Department. The fire hall and the apparatus are owned by the Fire Department.

The Romulus Fire Department serves portions of the Towns of Varick and Romulus through contractual service agreements with each. Each Town provides approximately one-third of the department's revenue. The remainder of the revenue comes from departmental fund raising activities. The Fire Department has approximately 15 active members.

Varick Fire Department—The Varick Fire Hall is located at 4682 Route 96A in the Town of Varick. The original part of the Fire Hall was constructed in the late 1960s with an addition built in 2002. The building houses a pumper truck, two pumper-tanker trucks, a tanker truck, a rescue van and a brush truck. The building contains a large banquet hall, kitchen, a meeting/training room, dayroom and office. The Fire Department owns the building and the apparatus.

The Varick Fire Department services portions of the Towns of the Towns of Varick, Fayette and Romulus through a service contract with each. Most of the department's funding is provided by the three Towns, but is supplemented with revenue provided by departmental fund raising activities. The Fire Department has approximately 22 active members.

### **Ambulance Service**

Ambulance transport service in Seneca County is provided by two private, not-for-profit ambulance corps. The North Seneca County Ambulance Corps serves the portion of Seneca County north of Route 336. The South Seneca County Ambulance Corps serves the area south of Route 336. Although the ambulance corps are separate from the fire departments, they work closely together as needed.

North Seneca County Ambulance Corps—The Ambulance Corps is housed in a building located on Route 414 near the NYS Thruway. The Ambulance Corps, which receives no governmental funding, raises most of its revenue through third-party billing for services supplemented by membership dues. The agency operates four ambulances and has 50 active members. Approximately half of the members are trained emergency medical technicians; the remainder are drivers and dispatchers. Crews are scheduled to be on duty for 6-hour shifts around the clock.

Although the Corps does its own dispatching, only about 25% of the calls are placed directly to the Corps; most are transferred from the Seneca County Sheriff's Department dispatch center. The Corps receives approximately 2,000 calls for service each year. Most patient transports are to nearby Geneva General Hospital, with a few to Auburn Memorial, Clifton Springs and Newark-Wayne Community Hospitals. Back-up service is provided by the South Seneca Ambulance Corps and the Finger Lakes Ambulance Service (a private, for-profit company) with a base of operation in the City of Geneva.

South Seneca Ambulance Corps—The South Seneca Ambulance Corps is housed in a building located in the Village of Ovid. Funding for the ambulance service is provided by the municipalities served and by third party billing. The agency operates two ambulances using a combination of paid paramedics and emergency medical technicians supplemented with volunteers who drive the ambulances and provide other assistance. The total personnel complement consists of 30 people. At least one paramedic or emergency medical technician is on duty at all times.

Most patient transports are to one of three medical facilities each about equal distance from Ovid. These are Geneva General Hospital, the Cayuga Medical Center in Ithaca, and Schuyler Hospital in Montour Falls.

## **Community Facilities and Services**

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Back up service is provided by the North Seneca Ambulance Corps and other volunteer ambulance corps operating in adjoining municipalities. The Seneca County 911 office does the dispatching for the South Seneca Ambulance Corp.

### **Seneca County Services**

#### **Office for the Aging**

The Office for the Aging (OFA) provides services for residents age 60 or older and their spouses. OFA operates three nutritional sites where hot luncheon meals are provided Mondays through Fridays. One site is located at the OFA offices in the Village of Waterloo, another at Verona Village (a senior housing facility in the Village of Ovid) and another at the First Baptist Church located on the county boundary line separating Seneca County from Schuyler County. The First Baptist Church is a shared site that also serve Tompkins County seniors. Although meals are provide free of charge, participants are requested to make donations and advance reservations are required. Recreational and educational programming is also provided at the meal sites by Senior Center, Inc., a not-for-profit corporation, under contract with OFA.

OFA also provides meals to the residences of homebound seniors unable to attend any of the nutrition sites. OFA contracts with the American Red Cross to prepare and deliver meals in the northern part of the County. OFA prepares meals and delivers them directly to the homes of seniors in the southern part of the County, Two meals are provided for each day of the week.

OFA also provides transportation for seniors who, due to frailties or infirmities, are unable to utilize the Seneca Transportation Service (STS), the public transportation system. OFA contracts with Senior Center, Inc. to provide the service. Senior Center, Inc. operates two wheel-chair accessible vans. One is stationed in Waterloo and is used to serve the northern part of the County. The other is stationed at Verona Village senior housing facility and is used to serve the southern part of the County. Transportation is provided for medical appointments, shopping, social trips, and for meals at the nutrition sites. Reservations are required 24 hours in advance.

OFA provides an array of other services directory or indirectly through contracts with other agencies. These services include:

- Recreational activities
- Legal services
- Information distribution and agency referrals
- Long-term care ombudsman services
- Telephoning homebound and isolated persons
- Loan closet (wheelchairs, canes, walkers, etc.)
- Home weatherization
- Crime prevention program
- Health screening
- Case management
- Visitations to homebound persons
- Income tax counseling
- Nutritional education and counseling
- Home Energy Assistance Program (HEAP)
- Alzheimer support group
- Driving refresher course



### Seneca County Youth Bureau

The Seneca County Youth Bureau provides youth services directly and indirectly by contracting with other agencies. Several of the services target troubled and at-risk youth and include the following:

Seneca County Mentoring Program—Provides youth ages 6-17 with positive role models.

Independent Living Skills Program—Teaches skills to enable youth to become more self-sufficient and to increase their self-esteem.

Prevention, Intervention and Education (PIE) Program—Targets youth who are involved in the criminal justice system to make youth understand the implications criminal behavior will have on their futures.

Juvenile Fire Setter Intervention Program— Provides counseling and targets youth at risk for committing arson.

Pre-Trial Diversion Program—This program offers youth involved in the criminal justice system with an alternative to traditional sentencing by providing youth with an opportunity to earn a court dismissal of their offences.

RHY Program—This program targets youth who have run away from home and homeless youth. Mediation is used to attempt to reconcile conflicts between parents and the runaway youth. Alternative housing is also provide on a short-term basis if needed.

Summer Swim Program—Swimming instruction is provided to youth ages 5 and older. Vince's Park swimming pool in Seneca Falls is used for the program. Transportation is provided.

### Public Transportation

Public transportation in Seneca county is provided by the Seneca Transit Service (STS), a regional subsidiary of the Rochester-Genesee Regional Transportation Authority headquartered in the City of Rochester. STS provides flexible-route bus service as well as demand-responsive service in Seneca County. STS bus service is described in greater detail in the Transportation and Infrastructure chapter.

## Recreational Programs and Facilities

### Recreation Programs

Varick-Romulus Summer Recreation Program—The Towns of Varick and Romulus jointly fund a summer recreation program for pre-kindergarten though 6th grade children. The program operates on a “walk-in” basis; registration is not required. No fees are charged for participation. Romulus Central School District Schools facilities are used for the program which runs from the first week of July through the second week of August. The program includes arts and crafts, field trips and games and sports activities. Approximately 80 children participate in the program annually.

### Public Parks and Recreational Facilities

Three New York State Parks are located in Seneca County short distances from the Towns of Fayette and Varick. These parks provide Fayette and Varick residents with a variety of recreational opportunities.

Seneca Lake State Park—The park, which is located at the northern end of Seneca Lake, contains a swim-

### Relevant Plans

#### Canal Recreationway Plan

The plan, prepared in 1995 by the NYS Canal Recreationway Commission, calls for the development of a trail along the Cayuga-Seneca Canal between Seneca and Cayuga Lake. The segment linking the State Park to the Village of Waterloo would be located on the south side of the canal within the Town of Fayette. Seneca County received a federal grant to construct this segment, but to date, has not been able to acquire easements from RG&E which owns most of the land along the canal.

#### Regional Trails Initiative (RTI)

The RTI prepared by the Genesee Transportation Council (GTC) calls for the development of the Black Diamond Rail Trail along the rail bed of the former Leigh Valley Railroad. The trail will intersect the Cayuga-Seneca Canal Trail at Seneca Lake Park and will link the park to the former Romulus Army Depot.

The RTI also calls for extending the Black Diamond Trail to Schuyler County and for developing two trails to link the Black Diamond Trail to Sampson State Park. Figure 1 (see following page) illustrates the location of the proposed trail and its relationship to the trail network called for in the RTI.

ming beach, picnic pavilions and tables, a playground, and playfields. The park also contains a boat launch, dockage and a marina for use by boaters. A portion of this park is located in the Town of Fayette.

Sampson State Park—Sampson State Park is located on the eastern shore of Seneca Lake in the Town of Romulus. The park contains a swimming beach, picnic pavilions and tables, a playground, playing fields, a museum, nature and cross-country ski trails, tennis courts and camping sites. In addition, the park contains a boat launch, dockage and a marina.

Cayuga Lake State Park—The park is located along the western shore of Cayuga Lake east of the Village of Seneca Falls. The park contains a swimming beach, picnic pavilions and tables, a playground, nature and cross-country ski trails and playing fields. The park also contains a boat launch and camp sites and cabins for lodging.

Montezuma National Wildlife Refuge—The refuge, 7,068 acres in size, although principally a habitat for migratory birds, offers recreational opportunities for observing wildlife. These include a nature trail, a wildlife drive and observation towers.

Canoga Marsh Wildlife Management Area—This 104-acre wildlife management area is located in the Town of Fayette immediately north of the Hamlet of Canoga. The wetland provides habitat for fish spawning, waterfowl and other birds, and mammals. The wildlife management area is open to the public. Permitted uses include hunting, fishing and trapping, picnicking, hiking and cross-country skiing, birding and boating.

In addition to the foregoing recreational facilities, there are several privately owned recreational facilities located in the Towns of Fayette and Varick that are either open for public use or restricted to members. Among these recreational facilities are the following:

Silver Creek Golf Club—This is a private, membership golf course located along the border between the Village of Waterloo and the Town of Fayette. The club facilities include an 18-hole golf course, a driving range and a lounge and banquet facilities.

Sportsmen's Clubs—Several membership sportsmen's clubs exist in the Town of Fayette that provide facilities for shooting. Among these are the Canoga Sportsmen's Club, the Kuneytown Sportsmen's Club, the MacDougall Sportsmen's Club and the Waterloo Rifle and Pistol Club.

Bishop Nature Preserve—The preserve, owned by the Finger Lakes Land Trust, is located in the Town of Fayette along West River Road a short distance east of NYS Route 96A. The preserve contains paths and is open to the public.

**Figure 1**  
**Trails Recommended in the Regional Trails Initiative—Phase 2**



Excerpt from GTC Regional Trails Initiative-Phase 2 Final Report and Action Plan, March 2004

**#74: Cayuga-Seneca Canal Trail - Geneva to Waterloo**  
Trail Currently Under Development (negotiations ongoing with NYSEG)

Project Description	Construct a multi-use trail along the NYSEG-owned abandoned railroad corridor that parallels the Cayuga-Seneca Canal (south side of the Canal) and Routes 5 & 20 between the existing City of Geneva Lakefront Trail to Route 96 in the Village of Waterloo
Approx. Length	6 miles
Expected Trail Uses	pedestrian, bicycling, XC skiing, equestrian
Jurisdiction(s)	City of Geneva, Town of Waterloo, Village of Waterloo
Implementing Organization	Seneca County
Total Project Cost	\$535,968 (all sources)
Funding Sources	Federal Transportation Enhancements Program (2002); Seneca County (match)

**#74: Black Diamond Rail Trail - Fayette to Romulus Segment**  
"Suggested" trail proposed for development within 5 years ("mid-term" recommendation)

Project Description	Develop a multi-use trail on the former Lehigh Valley Railroad-Ithaca Line corridor (aka the "Black Diamond" corridor) from the Town of Fayette to the vicinity of the southern boundary of the former Army Depot property (at/near the eastern terminus of the proposed Sampson State Park-Army Depot Connector Trail (Long Term Trail Project Recommendation #153)
Mileage	10.7 miles
Proposed Surface Type	stone dust
Jurisdiction(s)	Town of Fayette, Town of Varick, Town of Romulus
Estimated Project Cost	\$1,385,000

## Community Facilities and Services

**Yacht Clubs**—Two private-membership sailing clubs have facilities in the Town of Fayette. The **Red Jacket Yacht Club** facilities are located along Cayuga Lake between Canoga and the Fayette-Varick Town Line Road. The club’s facilities include a clubhouse, swimming pool, storage barn and 74 camping sites. The **Seneca Yacht Club** facilities are located on Seneca Lake at the mouth of the Seneca River. The club’s facilities include a club house with a kitchen and lounge; picnic area with tables and grills; docks, boat launch and boat hoists, and a swimming beach.

**Marinas**—**Stivers Seneca Marina**, located along Seneca Lake on Boody’s Hill Road, provides boaters with dockage, boat repairs, and boating and fishing supplies. The facility also offers public restrooms and showers. **Barrett Marine**, located along the Seneca River a short distance from Seneca Lake, provides boaters with a number of facilities and services. Among these are a boat launch, short-term dockage, sewage pumpout, restrooms and showers, water, electricity and gasoline.



### Residents Survey Highlights

Survey respondents were asked if they agreed that the Towns should provide additional recreational opportunities for residents which resulted in the following:

**Table 3**  
**Support for Recreational Facilities**  
**Fayette/ Varick Residents Survey**

Overall Support	Strongly Agree		Somewhat Agree		Total in Agreement	
	Fayette	Varick	Fayette	Varick	Fayette	Varick
The Towns should provide additional recreational opportunities for residents	29.5	25.9	31.5	31.7	61.0	57.6

  

Support for Specific Facilities	Strongly Support		Somewhat Support		Total in Support	
	Fayette	Varick	Fayette	Varick	Fayette	Varick
Off-road hiking/ biking trails	44.2	41.3	28.2	32.9	72.4	74.2
Paved bike lanes along road shoulders	44.5	44.9	24.4	24.0	68.9	68.9
Equestrian trails	22.6	22.4	28.1	27.8	50.7	50.2
Snowmobile trails	19.4	15.6	26.1	23.4	45.5	39.0

## Schools

### Public Schools

The Towns of Fayette and Varick are served principally by three school districts, the Waterloo, Seneca Falls, and Romulus Central School Districts. A small portion of the Town of Fayette is also served by the Geneva Central School District and a small portion of the Town of Varick is served by the South Seneca Central School District. The areas of the Towns of Fayette and Varick that fall within each school district are depicted in Map 19.

Approximately 2,000 students are enrolled in the **Waterloo Central School District**. The Waterloo School District operates five schools, i.e., the Border City Elementary School, La Fayette Elementary School, the Skoi-Yase Elementary School, the Waterloo Middle School and the Waterloo High School. All except the Border City Elementary School are located in or adjacent to the Village of Waterloo.

The **Seneca Falls Central School District** has approximately 1,500 enrolled students. The Seneca Falls Central School District operates four schools, i.e., the Elizabeth Cady Stanton Elementary School, the Frank M. Knight Elementary School, the Seneca Falls Middle School and the Mynderse Academy (high school). All of the schools are located in the Village of Seneca Falls. The Seneca Falls Central School District is in the midst of a capital project to renovate existing school facilities buildings. The project is slated to be completed at the end of 2006.

In 2005, the Seneca Falls and Romulus Central School Districts combined their separate positions of Business Administrator into a single position which is shared by the two School Districts. This merger was taken as a cost containment measure.

The **Romulus Central School District** with approximately 600 enrolled students is the smallest of the three principal public school districts serving Fayette and Varick. The Romulus Central School District operates two schools which are co-located in the Hamlet of Romulus, i.e., the Romulus Elementary School and the Romulus Junior-Senior High School. The Romulus Central School District is in the midst of a capital project to renovate existing school buildings. The project is slated to for completion at the end of 2006.

### **Private Schools**

The Town of Fayette contains one Mennonite school which is located at 1468 Leader Road. A building permit has been issued for the construction of another Mennonite school in the Town of Fayette at the intersection of Seybolt and Town Line Road. The Town of Varick contains two Amish schools; one is located at 2377 Ernsberger Road, the other at 4844 Route 414. The location of these private schools are depicted on Map 19.

# Issues and Opportunities

### **Varick Town Hall / Highway Garage**

The Varick Town Hall and attached highway garage is an older concrete block structure with various additions that have been constructed over the years. The building exhibits severe deterioration evidenced by a leaking roof and crumbling walls. The Town Hall portion is also undersized for the Town's needs and lacks adequate office space.

### **Difficulty Locating Property Addresses**

The law enforcement and emergency services agencies frequently have difficulty quickly locating property addresses when responding to emergencies in the rural areas. This situation increases response times. The problem stems from the fact that many residences do not display street address numbers on their mailboxes or on their residences. In some cases, even if street address numbers are displayed on the residences, the residences set back sufficient distance from the road to make the street numbers illegible. The difficulty locating addresses is compounded after dark.

The private roads serving Cayuga Lake lakefront properties are lettered in alphabetical order. Signs identifying the private roads have been placed near Route 89 which assists in locating properties along Cayuga Lake. Private roads along Seneca Lake, however, have not been lettered or numbered and lack such signage.

### **Lack of Water for Fire Fighting**

Most areas of the Towns of Fayette and Varick are not served with public water. Water must be transported to the scene of a fire in such areas. If the event is a working fire, tanker truck shuttles must be established through mutual aid to ensure a supply of water. Shuttling water to a fire scene is not a quick and efficient way of supplying water and the supply may be interrupted from time to time. The lack of municipal water infrastructure in these areas impedes the effectiveness of fire departments to quickly extinguish fires.

Even in some areas served with municipal water, fire flow is problematic. This problem is due principally to small-diameter watermains and/or dead-end watermains. Small diameter water mains are capable of supplying only limited volumes of water well below needed fire flows. Even larger diameter watermains are not capable of providing adequate fire flows if the watermains are dead-end lines not interconnected with other watermains. Interconnected watermains permit water to feed from both directions which provides greater volumes than dead-end watermains that feed from only one direction. The maintenance of fire hydrants is also important. In some instances the fire departments have encountered fire hydrants that are not functional.

Dry hydrants (a non-pressurized pipe system) have been installed in some private ponds in areas of the Towns to provide a suction supply of water to tanker trucks. Although dry hydrants provide another source of water for fire departments, some property owners are unwilling to permit dry hydrants to be installed in their ponds. Some ponds are not accessible from the public roadways without the construction of access roads. In addition to the cost of purchasing and installing the dry hydrants, the cost of constructing access roads limits the ability of the fire departments to install additional dry hydrants. The installation of additional dry hydrants in strategic locations can significantly improve the supply of available water.

### **Limited Access to Lakefront Properties**

Many of the private roads connecting lakefront properties to the public highways are narrow and in sub-standard condition. Often they are little more than driveways with little or no base and grass growing up the center. Such narrow and substandard private roads impede the ability of emergency vehicles, especially fire engines, from accessing the properties during emergencies. The narrow roads can also prevent fire engines from being able to pass by each another resulting in the stacking of fire engines in the roadway one behind the other. Stacking prevents all but the front fire engine to be used for fire suppression. As the lakefront residences are upgraded and new, more elaborate residences constructed, the value of the structures has been increasing significantly. Inadequate access for fire engines could result in significant losses to the owners if the properties are not adequately insured.

### **Firefighter Recruitment and Retention**

Most of the fire departments have difficulty recruiting and retaining members. Lack of members makes it difficult for the fire department to respond to emergencies, especially during weekdays when many members who work outside the community are unavailable to respond to alarms. Part of the difficulty recruiting and retaining members is due to the large amount of time required for training and certification. Furthermore, economic conditions, are forcing many residents to work more than one job, thereby reducing or eliminating the free time they would otherwise have to volunteer their services. Due to the limited number of volunteers, most of the fire departments have automatic mutual aid policies in affect. Under the automatic mutual arrangements, two fire departments are concurrently dispatched for certain types of alarms to ensure an adequate response.

### **Community Cohesiveness / Community Communications**

Rural towns like Fayette and Varick with no villages within the townships to serve as hubs of activity and community focal points often lack community cohesiveness and identity. This is especially true, if the municipality is divided among school districts. Many residents, especially those with school-aged children, tend to identify with the school district in which they reside. Others may identify with neighboring villages and cities such as Seneca Falls, Waterloo and Geneva which serve as commercial and industrial centers for Seneca County residents.

The lack of a single local newspaper or radio station which serves as the primary source of local news for the community further limits community cohesiveness. This situation also makes it difficult for municipal officials to effectively communicate with citizens regarding municipal policies, programs, activities, and meetings. Disseminating information to residents can be a major challenge to local officials.

The Town of Varick publishes a quarterly newsletter which is mailed to all households and businesses in the Town. Such a newsletter is an effective means to communicate directly with Town residents, but is not inexpensive.

Seneca County has an Internet website and permits the towns and villages within the County to post information on the site. The County is currently redesigning its website and there may be potential for Fayette and Varick to post Town newsletters on the County's newly-designed website. Although not all residents have Internet access, the County's website does offer the Towns with another means for distributing information in a timely manner to residents at a low cost.

## Community Facilities and Services

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### Property Maintenance

Although Seneca County is responsible for administering the NYS Fire Prevention and Building Code, which includes property maintenance regulations, the County has limited staff. This situation impedes the County's ability to address property maintenance issues including issues involving the accumulation of junk and debris on properties and other causes of unsightliness.

The Towns could rescind the local laws they enacted in the early 1980s to decline responsibility for administering the NYS Fire Prevention and Building Code. If this measure were taken, the Towns could then assume responsibility for administering the property maintenance sections of the NYS Code. Although this option is available, it has a major drawback. The Town employees who would have responsibility for administering the NYS Code would be required to be certified by New York State. The certification process involves extensive training and requires trainees to pass a proficiency examination. The training would require a considerable expenditure of Town funds on employees who work only part-time. Such expenditures may not be cost effective.

An additional drawback is that the Towns' Code Enforcement Officers would be responsible for administering the entire NYS Fire Prevention and Building Code, not just the building maintenance portion. Theoretically, the Towns could contract with Seneca County to administer all but the property maintenance section which the Town Code Enforcement Officers could administer. However, the Town would nevertheless have responsibility for all NYS Code enforcement record keeping.

### Assessment Grievance Day

During the Hamlet focus group meetings, residents expressed dissatisfaction with current arrangement of assessment grievance day being scheduled for a single day. Residents stated that it is often difficult or even impossible for some residents to attend and requested that more flexibility be incorporated in the grievance process.

### **Cayuga Indian Land Claim**

In 1783, the Treaty of Paris ended the War of Independence between the American colonies and Great Britain. One of the conditions of the treaty required the British to withdraw its army from its former forts within the American colonies. The British pulled these army troops into Canada and the Cayuga Indian Nation, which had been allied with the British during the war, also moved to Canada from the Finger Lakes Region of New York in order to continue trade relations with the British army.

In 1784, a band of Cayuga Indians migrated back to the Finger Lakes Region. In order to reduce tensions between settlers and the newly returned Cayuga Indians, New York State negotiated an agreement in 1789 with the leaders of the Indian band which resulted in the conveyance of 64,015 acres of land to the Indians for use as a reservation. When the tribal chiefs of the Cayuga Indian Nation in Canada heard of the agreement, they protested saying the band of Cayuga Indians that had returned to the Finger Lakes Region had no authority to negotiate on behalf of the Cayuga Nation. In 1790, New York State negotiated an agreement with the tribal chiefs of the Cayuga Nation. The tribal chiefs had no use for the reservation land as the Cayuga Nation was then residing in Canada and had no intention of returning to the Finger Lakes Region. Accordingly, the leaders of the Cayuga Nation elected to sell the land back to New York State in exchange for receiving \$1,625 at the time of sale and \$500 annu-



**Cayuga Indian Land Claim** (Continued from page 124)

ally thereafter. In 1795, an amendment was negotiated that increased the annual payment to \$1,800.

Since 1795, disputes have arisen from time to time as to whether the sale of the land back to New York State was valid and whether or not the Cayuga Indian Nation retained ownership of any of the land. The disputes revolve around whether or not the agreements were land sale contracts or treaties and whether or not Congressional ratification was/is legally required. The Cayugas argue that the “treaties” of 1790 and 1795 are not legally valid as they were never ratified by the Congress in accord with the requirements of the Federal Non-Intercourse Act of 1790. The Cayugas’ position is that since the 1790 and 1795 treaties were not valid, the Cayuga Nation still has claim to the land under the 1789 agreement. New York State’s position is that the 1790 and 1795 agreements were not treaties, but land sale agreements, and were valid as they were not subject to Congressional ratification. Therefore, the 1790 and 1795 agreements supercede the 1789 agreement and the Cayugas have no claim to the land.

In 1926, the United States, Britain and the Cayuga Indian Nation were parties to an international arbitration over the dispute. The arbitration finding was that the three agreements/treaties were actually part of a merged agreement/treaty of all three. The U.S. Government ratified the arbitration findings and, nevertheless, paid the Cayuga Indian Nation \$100,000 to satisfy the tribal land claim. In 1948, several Cayuga Indian Clan Mothers requested additional payment for the land and the U.S. Government paid the Clan Mothers an additional \$300,000.

Despite the forgoing international arbitration findings and several large payments made to the Cayuga Indian Nation by New York State and the U.S. Government to settle the land claim, the Cayuga Indian Nation filed a claim in Federal District Court in 1980. Also party to the suit is the Seneca-Cayuga Tribe of Oklahoma further complicating matters. In 1991, the court permitted the U.S. Government to intervene in the case on behalf of the Cayugas. The claim alleges that the 1790 and 1795 “treaties” are not legally valid as the U.S. Congress had not ratified them. In addition to requesting \$350 million in damages, the Cayugas also requested that the current property owners be evicted and the land turned over to the Cayugas. The portion of the land in Seneca County claimed by the Cayugas is the area east of Route 414 that lies between the Cayuga-Seneca Canal and the Fayette-Varick Town Line Road. The matter went to trial and in 2001 a jury awarded the Cayuga Indian Nation \$36.9 million in damages which the judge subsequently increased to \$247.9 million. The decision was appealed to the U.S. District Court of the Second Circuit which resulted in the award being set aside on the basis that the Cayugas had waited too many years to file the land claim law suit. The Cayugas are expected to appeal the case to the U.S. Supreme Court.

As this case has proceeded through the courts, Governor Pataki had been attempting to negotiate an out-of-court settlement with the Cayuga Nation and the Seneca-Cayuga Tribe of Oklahoma. Some of the negotiations involved discussion about permitting the Cayuga Indian Nation to construct and operate a gambling casino in New York. Among the locations for such a casino discussed during the negotiations included the City of Rochester, the Monticello Raceway in the Catskill Mountains and the Town of Sennett in Cayuga County. Also included in the negotiations was the conveyance of some 10,000 acres of land at the northern end of Cayuga Lake to the Seneca-Cayuga Tribe of Oklahoma. Negotiations broke down in the Summer of 2004.

Sources: *The Cayuga Chronicles* written by Warren L. Hickman which appear on the Upstate Citizens for Equality website [www.upstate-citizens.org](http://www.upstate-citizens.org) and *Democrat and Chronicle* newspaper articles.

# **Tools and Techniques**

### **Intermunicipal Cooperation**

NYS law enables municipal governments to work together through intermunicipal agreements to take advantage of economies of scale, to reduce or eliminate duplication, and to utilize surplus facilities. Two forms of intermunicipal agreements are permitted, i.e., a service agreement and a joint agreement. Under a service agreement, a municipality agrees to provide a particular municipal service or services for another municipality or municipalities. Under a joint agreement, two or more municipalities share the responsibility for providing a particular service or for constructing and operating a facility. Intermunicipal agreements enable municipalities to more efficiently provide services or build and operate facilities.

### **Joint Purchasing**

Joint purchasing offers potential savings resulting from discounted pricing many vendors offer for volume purchases. Municipalities, school districts, fire departments and ambulance squads can realize substantial savings by working together to purchase equipment. Significant savings can be realized through joint purchasing, especially for the purchase of heavy equipment such as highway trucks, tractors, fire engines, ambulances, etc.

### **State and County Purchase Contracts**

NYS procures services, supplies, materials, and equipment through competitive bidding. NYS purchase contracts contain provisions that make the competitive pricing available to municipalities throughout New York State. Although savings can be realized by purchasing through NYS purchase contracts, it is not uncommon for a municipality to obtain lower prices by conducting its own bidding for certain items.

County governments usually design their bid specifications to permit the municipalities within the county to purchase through county purchase contracts similar to the manner in which New York State permits municipalities to purchase through State purchase contracts. Such arrangements enable small communities with limited staff to obtain competitive pricing without the expense, time and effort required to prepare bidding specifications and to go through the competitive bidding process.

### **Property Maintenance**

Assuming the responsibility for administering the NYS Fire Prevention and Building Maintenance Code may be impractical for the Towns of Fayette and Varick to pursue. The Towns have the option of incorporating property maintenance provisions into their land use (zoning) regulations. This would provide the Towns with the ability to improve property maintenance within the Towns without assuming all the responsibilities inherent in administering the NYS Fire Prevention and Building Code.

The property maintenance provisions incorporated into the zoning regulations could mirror the property maintenance regulations within the NYS Code or could be less stringent. If the Towns wanted to have property maintenance regulations more stringent than the property maintenance regulations within the NYS Code, the Towns would have to first obtain the approval of the New York State Codes Council. The advantage of incorporating property maintenance regulations into zoning regulations is that the mandated training for NYS Code certification would not apply to the Towns' Zoning Officers.

Another alternative the Towns may wish to pursue is an intermunicipal agreement with each other and/or with adjoining Towns for the administration of the NYS Fire Prevention and Building Code by creating a

full-time, circuit-riding Code Enforcement Officer (CEO) position. In order to implement this, all participating municipalities would have to rescind the local law each had enacted earlier to opt out of administering the NYS Fire Prevention and Building Code. The advantage of this alternative is that the cost to train and certify a Code Enforcement Officer would be shared thereby reducing the cost to each participating municipality. Second, by creating a full-time circuit rider position, the Towns may be able to obtain higher levels of service than Seneca County is capable of providing.

### **Incentives to Retain/Recruit Volunteer Firefighters and EMTs**

Property tax exemptions can be provided as an inducement to encourage residents to join and maintain their membership in volunteer fire departments and ambulance corps. In June, 2005, the Oneida County Legislature enacted a local law to provide a county property tax exemption to volunteer fire fighters and EMTs. The exemption will be equal to 10% of the assessed value of the firefighter's/EMT's residence up to \$3,000. Volunteer firefighters and EMTs would have to have served at least five years with the fire department or ambulance corps to qualify. Similar exemptions can also be offered by all taxing authorities, i.e., towns, villages and school districts.

Legislation known as the Supporting Emergency Responders Volunteer Efforts (SERVE) Act was also introduced in the U.S. Senate. The proposed legislation, if enacted, would provide volunteer firefighters and EMTs with a \$1,000 federal income tax credit.

### **Funding and Financing for Municipal Facilities**

The federal and State governments have grant and loan programs that provide grant and low-interest financing available for the construction municipal facilities. Eligibility requirements for each program differ as the amount of funding or financing provide and the interest rates for financing. Salt storage grants are available through the NYS Department of Conservation. Low-interest loans to construct community facilities are available through Rural Development (U.S. Department of Agriculture.)

# Recommended Actions:

### Applicable to Towns of Fayette and Varick

1. Consider incorporating property maintenance regulations into the Towns' land use (zoning) regulations thereby giving the Towns' Code Enforcement Officers the authority and responsibility for ensuring properties in the Towns are appropriately maintained.
2. Provide sufficient resources to code enforcement and consider shared staffing for code enforcement (similar to the arrangement to share a full-time assessor between the Towns of Fayette and Seneca Falls).
3. Encourage Town residents to join the various fire departments serving the Towns and to volunteer their time and effort to keep the fire departments viable.
4. Encourage residents to install signs with reflective, house numbers near the road rights-of-way to make it easier and quicker for emergency services to locate property addresses.
5. Encourage property owners located in areas not served with public water who have ponds on their properties to permit the fire departments to install dry hydrants in the ponds to increase available water supply for fire emergencies.
6. Expand the public water system to areas not served when it is cost-effective to do so in order to improve fire protection in these areas. Pursue grants and low-interest loans to make such projects more affordable.
7. Ensure that whenever new watermains are constructed they are interconnected with each other and existing watermains to the extent feasible in order to improve fire flows.
8. Maintain all fire hydrants on existing public water systems in fully operational condition.
9. Install fire hydrants on the water transmission line that conveys water to the Village of Seneca Falls from the Seneca Falls water filtration plant on Cayuga Lake. Install fire hydrants on the water transmission line the conveys water to the Hamlet of Romulus from the Village of Waterloo's water filtration plant on Seneca Lake.
10. Encourage the owners of private roads that serve lakefront properties to widen and improve the roads to provide better access for emergency vehicles. Establish minimum standards for the future construction of private access roads.
11. Work with Seneca County Department of Information Technology to arrange for the posting of periodic Town newsletters on the County's Internet website and publicize the website to town residents.
12. Designate a Town official or employee to have responsibility for periodically publishing a Town newsletter. Such responsibilities will include obtaining articles from department heads and other Town officials for incorporation into the newsletter, editing the newsletter, making arrangements for printing and distributing the newsletter and for placing the newsletter on the Town link of the Seneca County website.

13. Require licensing of private schools and adult home care facilities so that information regarding the number of students attending each school and number of adults residing in each home care facility can be provided to the Seneca County Emergency Services Office for distribution to the fire departments in Seneca County.
14. Support regional programs to develop off-road hiking and biking trails and the establishment of bicycle lanes along existing roads.
15. Provide educational materials and training to elected and appointed officials to assist them in executing their duties.

### **Applicable to Town of Fayette Only**

- A.1. Construct a salt-storage facility for the Fayette Highway Department. Pursue grant funding to assist with the cost of construction.

### **Applicable to Town of Varick Only**

- B.1. Construct a new Varick Town Hall and Highway Department garage. Pursue low-interest loan to finance the cost of construction.
- B.2. Construct a salt-storage facility for the Varick Highway Department. Pursue grant funding to assist with the cost of construction.