

**REGULAR MEETING OF THE TOWN BOARD  
PALMYRA TOWN HALL  
September 24, 2015**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday September 24, 2015, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

**CALL TO ORDER**

Supervisor Miller 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**

- Kenneth Miller, Supervisor
- James Welch, Deputy Supervisor
- David Nussbaumer, Councilman
- Todd J. Pipitone, Councilman
- Michael Lambrix, Councilman

Motion was made by David Nussbaumer to approve the minutes of the Town Board meeting on August 26<sup>th</sup>, 2015.

**MTN:  
APPROVE  
PREVIOUS  
TOWN BOARD  
MINUTES**

Second: Todd Pipitone

Vote: 4 Ayes. Carried

Also attending was: Marc Carrier, Jacob Carrier, EMS Advisory Board Representative Mike Catalano, Palmyra Code Enforcement Officer Robert Grier, and Palmyra Highway Superintendent Mike Boesel.

**ATTENDANCE**

**HEARING**

There was no official hearing this evening.

**HEARING**

**COMMUNICATIONS**

Supervisor Miller shared a communication that he received about a webinar that was taking place on October 7<sup>th</sup>, beginning at 11 AM and lasting approximately one hour, regarding the tax cap and freeze. The

**COMMUNICA-  
TIONS**

Supervisor said that he would forward the website information, as well as request to the board members, as it is important that they get all Councilman Lambrix was particularly interested in this webinar.

**REPORTS OF STANDING COMMITTEES**

**REPORTS OF STANDING COMMITTEES**

**Supervision---Animal Control, Historian, Finance: Kenneth Miller, Chairman**

**BUILDING SECURITY**

**1. Building Security and Tentative Plan Overview:** Supervisor Miller met with three security companies as well as had discussion with department heads and the board regarding building security. Mr. Miller thanked the board for their input, and said that he will get a preliminary “spec” back out utilizing these suggestions.

**TENTATIVE BUDGET**

**2. Complete Tentative Budget:** A copy of the complete Tentative Budget was now available in the town clerk’s office for review by the board members as well as public review. Mr. Miller stated that there had been no changes since the last budget workshop.

**Human Services—Town Clerk, Archives, and Justices: Michael Lambrix, Chairman**

**TOWN CLERK REPORT**

**1. Town Clerk Office Report for September:**

**TOWN CLERK OFFICE REPORT TO THE BOARD**  
**SEPTEMBER 2015**

**SCHOOL TAX COLLECTION**

September is as usual; very busy with hunting licenses and school taxes! So far we have collected \$4,568,912.48 (1706 properties paid so far) of the \$14,429,833.59 total warrant. We anticipate almost twice that before the end of next week as we will receive the larger number of payments from the larger mortgage brokers. Once again, both Heidi and Joan have done a fantastic job keeping up with sending out the tax receipts after I have entered the payments.

Archive Room B has had a wall replaced that was damaged by water earlier this year. Most boxes as well as shelving units had to be relocated as the drywall and painting was completed. Celeste has continued working with the Archive and Record Management projects as allowed; and all archived materials in that room will be back in place by next week.

Through dog licensing in August, we sold 77 licenses totaling \$702.00, misc sales, EZ Passes marriage licenses, hunting/fishing, vital record requests, etc- added an additional \$4524.40. Total check disbursements for the month of July were \$5226.40.

**AD FOR RECORDS MANAGEMENT CO-ORDINATOR**

As explained last month, I will be placing an ad for a part-time Records Management Coordinator/Clerk for the Town Clerk’s office, and begin our process of replacing Celeste Finewood that will be retiring.

Mr. Lambrix invited the board to read Town Clerk’s report at their leisure.

**Public Works—Highway Department, Equipment, Facilities: James Welch, Chairman**

**HIGHWAY  
REPORT**

1. **Highway Department report for May:** Highway Superintendent Mike Boesel submitted the following report from August 27th, 2015, through September 24th, 2015.

**Highway Superintendent Report  
For Town Board Meeting  
09/24/15**

- Chipsealing - Division St., Hogback Hill Rd., Galloway Rd., Temple Rd.
- Hauling - Stone and sand
- Inter-municipal Assistance
  - 8/27/15            2 Marion Trks, 1 Walworth Trk, Ontario roller to Palmyra - Chipsealing
  - 8/28/15            3 Palmyra Trucks to Lyons for paving work - Water Street
  - 9/01/15 - 9/02/15        2 Arcadia Trks, 1 Marion, 1 Wal Trk, 1 Wal roller, 1 Lyons Trk - paving
  - 9/11/15            1 Palmyra Truck to Walworth for chipseal assistance
  - 9/18/15            2 Wal & 1 Williamson Trucks, 1 Ontario roller to Palmyra - Chipsealing
  - 9/22/15            1 Palmyra Loader/Widener w/operators to Walworth for shoulder work
  - 9/23/15            2 Walworth Trks, 1 Wal roller op, Ontario roller to Palmyra - Chipsealing
  - 9/24/15            1 Palmyra Loader/Widener w/operators to Walworth for shoulder work

Other miscellaneous items include:

- **Brush Mowing** – We intend to continue brush mowing and tree trimming operations as time permits thru the rest of the year and as the winter season permits.
- **Roadwork** – On August 27th, Midland assisted us with chipsealing Division Street. On Sept 1st & 2nd Midland assisted us with coldmix paving Hogback Hill Road from Galloway to P.Gibson Rd. On Sept 18th Suit Kote assisted us with chipsealing Temple Road, and on Sept 23rd Midland assisted us with chipsealing Hogback Hill and Galloway Roads. This essentially completes our major roadwork for the season. We still have some finishing touches to these projects and some drainage/prep work on others.
- **Striping** - Most of our roads have been striped now with the exception of the recent work above.
- **Training** - On Sept 8th Mike Paul, Jake Hilton, Jim Eckert and I all attended an all-day Cornell Local Roads Training seminar held at the Lyons Community Center entitled 'Managing the Highway Dept'.

**HIGHWAY REPORT  
CONTINUED**

- **Fall Highway Conference** - Last week, Sept 15-18th, I attended our 86th Annual Fall Highway Conference and Education Symposium held in Saratoga Springs. As you know, since 2007 I have been one of 20 members of the NYS Association of Town Superintendents of Highway representing all 932 Town Highway Supts across NYS. Last week I was nominated and moved up to 1st Vice President of the Association. Check out our recently updated website at <https://www.nystownhwys.org/>

**WINTER PREP**

- **Winter Preparations** – Our salt barn and salt/sand barns are essentially full. We have a small pile of extra sand started but intend to haul more as time permits. Several of the trucks were recently serviced. Thru the month of October we will begin to review our snow plows/wings, sanders and tire situations.

Any questions, comments or concerns I will be glad to answer.

Councilman Welch explained that Mr. Boesel would be a few minutes late, but that the highway report included much of the information regarding summer work, brush work, mowing, and winter prep. Supervisor Miller suggested that Mr. Boesel be given the opportunity to comment about his report as well as the three quotes for the town hall parking lot sealing when he arrives.

**Economic Development/Planning—Grounds, IT, Strategic Plans: Todd Pipitone, Chairman**

**1. Town Hall Items:** Councilman Pipitone asked that the board refer to the Town Clerk’s report for details regarding the work being done in the archives room.

**2. Painting of Kitchen and Historian’s Office:** Work is progressing well with repairs in the kitchen, and Mr. Pipitone reported that according to the last update, the construction workers were waiting for the kitchen windows to arrive.

**3. Sealing of Parking Lots:** Mr. Pipitone stated that there were indeed three bids to consider for sealing the parking lot, but that the question still remained as to whether the bids included crack seal. It was decided to discuss this further when Mr. Boesel arrived.

**PAINTING OF  
KITCHEN****SEALING OF  
PARKING LOTS**

**Government Operations—Assessor, Youth & Aging, Code Enforcement, Fire Protection Contracts: David Nussbaumer, Chairman**

**ASSESSOR REPORT**

- 1. **Assessor’s Office Report for September:** Assessor Elaine Herman submitted the following report:

**Assessor’s Office Report**  
**September 23, 2015**

I was busy preparing for our three (3) small claims hearings that were held in the law library of the Lyons court house. When the hearing officer arrived for the meetings, he asked me if I had talked with one of the petitioners and I said I had not heard from him. Come to find out, he withdrew his petition, as I had sent out a letter to both the hearing officer and the petitioner, at the hearing officer’s request, stating that this claim should not be held in this court. The property is a two family property that is not owner occupied. At this time I have not heard what his decisions are for the two properties that we did have hearings on.

**VALUATION FACTOR FILES**

Also, we got the VFF (valuation factor file) file from the person that the assessors’ association hired to prepare for us to use in valuing commercial properties. I have imported the information into my RPS program. Some work in RPS is necessary to be able to actually use the information and I have been busy making the changes that are necessary. I have ran some statements and the numbers are pretty good, better than I had before as at the 2013 update I did a lot of them by hand as the program did not put out good values. These numbers are close to what I used at that time and they are still good numbers.

All fifteen (15) towns chose to sign up for the file, so the cost to each town is \$100 with the remainder \$2,000 of the total \$3,500 being paid by the assessors’ association.

The enhanced (senior) STAR applications are being returned daily as they were sent out at the same time as the school tax bills. People pay their tax bill and then come in here to file their STAR application. It makes it easy for the property owners to do both things at the same time.

As always, if you have any questions or concerns, please don’t hesitate to contact me.

- 2. **Code Enforcement/Zoning Office Report- September:** Code Enforcement Officer Bob Grier submitted a report to the Board Members including a list of building permits and certificates of compliance for Jan. 1 through September 24, 2015. A letter from Dan Wooden (retired CEO) was also included regarding proposed part-time employment to fill in gap until a new clerk is found.
- 3. **Town Fee Schedule:** Code Enforcement Officer, Bob Grier, proposed a new fee schedule for building projects, as our schedule has not been updated in the past 6 years. He offered an overview of the numbers that he proposed with regards to project, cost, man hour cost, proposed fee, and modified fee with comparison to the towns

**CODE ENFORCEMENT REPORT -DAN WOODEN BACK FOR PART TIME EMPLOYMENT**

**TOWN FEE SCHEDULE**

of Williamson, Walworth, and Macedon. Mr. Grier suggested that the board look at these rates, and perhaps modify the rates we have in place.

Some discussion and questions ensued, and Councilman Nussbaumer offered to meet with the Code Enforcement Officers to further discuss this matter.

Councilman Welch asked if this affected the fees for rental properties; Mr. Grier commented that he thought the existing fees were realistic.

- 4. **Zoning Board Meeting in September:** Minutes from the September 17th Zoning Board meeting, and Public hearings, were shared with the board.
- 5. **Planning Board Meeting in September:** There was no Planning Board meeting in the month of September.

**TELLIER RD BRIDGE  
DETOUR**

At this time Highway Superintendent Mike Boesel arrived, and Supervisor Miller asked if he had anything further to add to his report. Mr. Boesel added that there was obviously (details included in report) a lot of intermunicipal cooperation happening as far as end of season projects. Discussion ensued regarding the Tellier Rd Bridge being detoured. Mr. Boesel said that the end date for that bridge to be complete is November 1<sup>st</sup>. Mr. Miller asked if he wanted to include any information regarding the sealing of parking lots before the board votes later this evening as to which company they will use.

**TOWN HALL  
PARKING LOT  
SEALING QUOTES**

Mr. Boesel only added that because of the boards request to have the sealing done as soon as possible (this coming weekend), and because of the method of application and material (coal tar emulsion), Mr. Boesel was comfortable with the proposal from ER Shove, Inc. Further discussion ensued, and the board agreed that crack seal would be approved for up to \$500.00 additional in the quote. Quotes were received from ER Shove Inc., Super Seal Sealcoating LLC, and Seal-Right Co. The board will vote on this later in the evening.

**INTERMUNICIPAL  
AGREEMENT FOR  
CODE  
W/ VILLAGE**

6. **Intermunicipal Agreement for Administration and Enforcement of Zoning and Building Codes and Planning Services:** Supervisor Miller asked for these negotiations with the village to be tabled and later discussed in executive session.

**INFORMATIONAL ITEMS**

- |   |  |
|---|--|
| <p>1. <b><u>Wayne County Sherriff's Office:</u></b> There was no report this evening from the Wayne County Sheriff's Office.</p>  | <p><b>WAYNE COUNTY<br/>SHERIFF REPORT</b></p>  |
| <p>2. <b><u>Wayne County Flu Clinic:</u></b> The Wayne County Flu Clinic will be held at the Palmyra Town Hall on Thursday October 8<sup>th</sup>, 2-4 PM.</p>  | <p><b>WAYNE COUNTY FLU<br/>CLINIC</b></p>  |
| <p>3. <b><u>Fall 2015 Regional Local Government Workshop:</u></b> The Genesee/Fingerlakes Regional Planning Council announced the Fall 2015 Regional Local Government Workshop, to be held Friday November 13, at the Clarion Hotel in Batavia, NY. Registration forms were distributed to the board.</p>   | <p><b>FALL LOCAL GOV'T<br/>WORKSHOP</b></p>  |
| <p>4. <b><u>EMS Advisory Board:</u></b> Mr. Catalano, our representative to the EMS Advisory Board, reported that in the months of June&amp; July there were 153 calls covered with only one "dropped" call. The EMD response is now trying to triage and prioritize calls, which is a new trend nationwide. He further explained that this was not as necessary locally, as we always have an ambulance available. He also reported to the board that though the radio system was recently updated, they have been experiencing some trouble with the towers, are currently working along with Fingerlakes to clear that up. Supervisor Miller reminded the board that there is a couple second delay because of the way the calls are dispatched, but this has not presented a problem.</p> | <p><b>EMS ADVISORY<br/>BOARD</b></p>   |
| <p>5. <b><u>Vacancies on Town Boards:</u></b> A help wanted ad was placed in the Wayne Times with the hopes of filling vacancies on the Town Planning Board and Board of Assessment Review. Prospective members were asked to contact the Town Supervisor directly.</p>   | <p><b>VACANCIES ON<br/>PLANNING BOARD<br/>AND BOARD OF<br/>ASSESSMENT<br/>REVIEW</b></p> |
| <p>6. <b><u>Wayne County Health:</u></b> The Wayne County Health department warned of the EEEV mosquito to human transmitted disease that can cause encephalitis as well as other life threatening ailments. Supervisor Miller added that they have warned the public of standing pools of water, at that there had been a case of an equine encephalitis death in another town. The positive news is that the mosquito population will soon die off with the onset of colder weather.</p>  | <p><b>WC HEALTH REPORT<br/>EEEV MOSQUITO</b></p>   |

**PARKING  
RESTRICTIONS AT  
VILLAGE HALL**

**7. Parking Restrictions at the Village Hall:** Mayor Piccola sent a letter alerting the town board, as well as the public, to the new parking restrictions at the Village Hall. There is currently a 15 minute parking limit behind the Village Hall, and the main lot that was previously used is no longer available as the property was sold.

**NYMIR SAFE  
DRIVING COURSE**

**8. NYMIR-Safe Driving Seminar:** NYMIR announced a free seminar to their subscribers on October 13, 2015, included in the topics: *Safe Driving & Avoiding Distractions, Streets, Sidewalks & Roads Liability Information, and Road Maintenance Liability & Signage Requirements.* Supervisor Miller offered his copy of the information to the Highway Superintendent, as it would apply to his department as well.

**AGENDA ITEMS**

**MTN: APPROVE CEO  
PART-TIME HELP**

**1. Approve: Part-time help in Code Enforcement Office:** Dave Nussbaumer made the motion to approve part-time help, to be paid by voucher, in the Code Enforcement Office. Councilman Pipitone asked if there were any other viable candidates for the position of clerk other than the offer from retired CEO Dan Wooden. No there was not. Again the motion was made.

Second: Mike Lambrix

Vote: 4 Ayes. Carried.

**MTN: APPROVE  
NEW CODE  
ENFORCEMENT  
OFFICER**

**2. Approve: Hiring of Code Enforcement Officer:** Dave Nussbaumer made the motion to hire Patrick Sheridan as Code Enforcement Officer for a salary of \$48,000.00, plus benefits. The motion was seconded by Todd Pipitone. A roll call vote was requested.

Councilman Nussbaumer	Aye
Councilman Lambrix	Aye
Councilman Welch	Aye
Councilman Pipitone	Nay

Vote: 3 Ayes. Carried.

3. **Approve: Tentative Budget for 2016:** Todd Pipitone made the motion to approve the 2016 Tentative budget. Mike Lambrix asked whether or not the tentative budget could be changed. The answer was yes, it could be changed up or down. The motion was made again to approve the motion, Councilman Lambrix seconded the motion, and a roll call vote was requested.

MTN: APPROVE  
2016 TENTATIVE  
BUDGET

Councilman Nussbaumer Aye  
Councilman Lambrix Aye  
Councilman Welch Aye  
Councilman Pipitone Aye  
Vote: 4 Ayes. Carried.

*The 2016 Tentative Budget becomes the 2016 Preliminary Budget after approval and will be available in the Town Clerk's office.*

4. **Approve: Resolution #10-2015-Standard Workday Reporting:** Todd Pipitone made the motion to approve the Workday Reporting Resolution as noted, with the addition of day of month as requested by state, and no other information changed. **ATTACHMENT A**

MTN: APPROVE  
RESOLUTION #10-  
2015 STANDARD  
REPORTING

Second: Jim Welch Vote: 4 Ayes. Carried.

5. **Approve: Sealing of Parking Lots at Town Hall:** Todd Pipitone made the motion to approve the sealing of the Town Hall parking lots, not to exceed \$5600.00, including crack seal, by ER Shove.

MTN: APPROVE  
SEALING OF  
PARKING LOTS

Second: Dave Nussbaumer Vote: 4 Ayes. Carried.

**Public Input-** None this evening

**Motion to Approve Claims and Expenditures:** Dave Nussbaumer made the motion to approve claims and expenditures in the September 2015 abstract, voucher #4494 thru #4582.1, totaling \$220,438.39.

MTN: APPROVE  
CLAIMS AND  
EXPENDITURES

Second: Mike Lambrix Vote: 4 Ayes. Carried.

**Motion to Enter into Executive Session:** At 7:48 PM, Councilman Pipitone made the motion to enter into executive session to discuss contractual negotiations.

MTN: ENTER INTO  
EXECUTIVE  
SESSION

Second: Dave Nussbaumer Vote: 4 Ayes. Carried

**Motion to Return from Executive Session:** At 8:09 PM, Councilman Nussbaumer made the motion to return from executive session.

Second: Todd Pipitone

Vote: 4 Ayes. Carried

**Adjourn Meeting:** At 8:10 PM, Dave Nussbaumer made the motion to adjourn the meeting.

Second: Mike Lambrix

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn  
Town Clerk

**ATTACHMENT A**

**RESOLUTION #10-2015  
STANDARD WORKDAY  
CORRECTION**

**NEXT REGULAR MEETING: Thursday October 22, 2015,  
7:00 EAST PALMYRA FIRE HALL**