

REGULAR MEETING OF THE TOWN BOARD SEPTEMBER 25, 2003

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, September 25, 2003, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, was called to order at 8:00 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:

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

ROLL CALL

Also in attendance at the board meeting:
Tom Adams, representing the *Courier-Journal*
Nelson F. Cook, Highway Superintendent

Motion was made by David Nussbaumer to approve the minutes of the August 28, 2003 meeting of the Town Board. Seconded by Michael Lambrix. Voting was unanimous in the affirmative.

**MTN:
APPROVE
MINUTES OF
8/28/2003 MTG.**

COMMUNICATIONS

1. Regional Trails Initiative Public Input Meeting by Genesee Transportation Council: Phase 2 of the initiative is interested in input on trails in the Genesee-Finger Lakes region. This is to develop a comprehensive action plan for the regional trail system. The closest meeting is in Newark at the Cornell Cooperative Extension building, 1581 Route 88 North, at 7-9 p.m. on Thursday, October 9. Lynne Green indicated an interest in attending.
2. "After Hours Party" for Economic Development: On Wednesday, October 8, from 4-6 p.m., at the Cornell Cooperative Extension building, 1581 Route 88 North, Newark, an "After Hours Party" will be held to celebrate Cornell Cooperative Extension and National 4-H Week. Members of the Town Board have been invited. Speaker's topic is "How you can strengthen community and economic development."

**REGIONAL
TRAILS
INITIATIVE
PUBLIC INPUT
MEETING**

**AFTER HOURS
PARTY FOR
ECONOMIC
DEV.**

3. Cole Road drainage problem—second letter:

**COLE RD CREEK
DRAINAGE
PROBLEM**

"The night of Monday, August 11th, it rained approximately three inches. The creek located next to my neighbor's house at 3608 Cole Road flooded into their and my back yards and flooded our basements. As a result, I had to remove the carpeting in my finished basement— this is the second time in a year and a half that I have had to remove the carpeting because of the creek flooding causing my basement to flood. This time, I had a cleaning service in and they had to remove the drywall also— this is how bad it was.

"For this reason, I along with my neighbors, am requesting that the creek be cleaned out as soon as possible to prevent future flooding. As I understand it, the creek at the west end of Cole Road was cleaned out a couple of years ago. We had hoped that the creek by my neighbors would be cleaned out as well, but it never was. The west end creek crosses Cole Road and empties into the bigger creek north of us in Marion. Having been cleaned out, this creek has the capacity to take on more water and run quickly to the Marion end. The volume of water that this creek feeds to the Marion end causes the north creek to rise and prevents our end from flowing freely which has compounded our flooding problems. Fallen limbs and trees from the April ice storm have also contributed to the already restricted water flow. This creek needs to be cleaned out. I understand also that you are trying to manage your budget— but I feel this request to get the creek cleaned out should be a priority.

*Carol Huff
3602 Cole Road"*

This letter adds to the Denosky letter read at the August 28th meeting.

4. Thanks to Town Clerk's office:

**THANKS TO
TOWN CLERK'S
OFFICE**

"We wish to thank you for all your kindness and time that you spent with us during our visit to your friendly town of Palmyra and the special effort that Lynne Green made to make us feel welcome and a special thanks for the excellent work Betsy did for our genealogy research and the others who helped us during our quest. Enclosed is the \$132 check per Betsy's mail note.

Raymond Colline, Sandra Frank, Alwyn Frank"

5. Letter from NYS Office of Parks, Recreation and Historic Preservation: Clearance letter from SHPO for Garnsey-Shilling Area Water District, before actual construction begins.

**FINAL
CLEARANCE
LETTER FOR
GSAWD BEFORE
CONSTRUCTION**

"We have reviewed the project [Garnsey-Shilling Area Water District] in accordance with Section 106 of the National Historic Preservation Act of 1966.

"Based upon this review, it is the SHPO's [State Historic Preservation Office] opinion that your project will have no effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

Ruth L. Pierpont, Director"

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Ken Miller, Chairman

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| 1. Ken Miller reports open items needing attention at Town Hall are continuing to be worked on. Stains on the carpet left by file cabinet delivery people should be cleaned up by next month. | TOWN HALL
CARPET
CLEANING
ISSUES |
| 2. He has received suggestions for streamlining the first draft of the building usage policy, and he is still working on it, but was not ready to make his presentation at this time. He expects to produce the second draft next month. | BUILDING
USAGE POLICY
STILL IN
WORKS |
| 3. Town Hall front window replacement specifications have been revisited to make sure all bids were comparable. Ken expects a decision within the next week as to whether the issue needs to be brought back to the table. | FRONT
WINDOW
REPLACE
REVISIT |

Highway Committee – Michael Lambrix, Chairman

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 1. Cook reports the Highway Department has finished 5 ½ miles of chip seal on Cole Rd., Parker Rd. and LeRoy Rd. His crew is now beginning its scheduled servicing of winter highway equipment, and he expects to wrap up the field work within another week. Councilman Lambrix asked Cook if the county had taken a look at the intersection at Hogback Hill and Galloway Bridge Roads within the last month. Cook said no. Cook is still looking for a recommendation from the Traffic Safety Board. | HWY DEPT
REPORT |
| 2. <u>Budget transfer</u> : David Nussbaumer made the motion to increase account DA5130.400—Machinery/contractual expense in the amount of \$15,000 and to decrease account DA5130.200—Machinery/equipment in the amount of \$15,000. James Welch seconded the motion. Voting was unanimous in the affirmative. | BUDGET
TRANSFER |
| 3. <u>Budget Resolution</u> : David Nussbaumer made the motion to approve the resolution to modify the 2003 Budget by an increase to revenue account DA2300—Service, other governments, in the amount of \$30,000 to reflect an additional snow and ice payment received from the County, and an increase to expense account DA5142.400—Snow removal/contractual expense, in the amount of \$30,000, to reflect replacement of salt and sand. James Welch seconded the motion. Voting was unanimous in the affirmative. | BUDGET
RESOLUTION |

Planning Committee – James Welch, Chairman

**MASTER PLAN
AGREEMENT WITH
STU BROWN AND
VILLAGE**

1. To follow up on Chairman Welch's request of last month, Stuart I. Brown Associates, Inc. submitted an agreement to assist the Town and Village in updating the Comprehensive (Master) Plan. Attachment B detailed the proposed budget for the \$13,440 cost to accomplish this. Welch questioned the cost; in particular, the \$840 allocated to "edit text to improve clarity/correct typos" feeling this was excessive. Supervisor Lyon explained that Brown was experienced in these matters and felt Brown knew how much time it would take to accomplish these tasks. Ken Miller made the motion to formalize the contract and to have Dave Lyon sign it, with the stipulation that it not exceed \$13,440 total—to be divided evenly between the Town and the Village—to have Brown substantiate the actual costs with an accounting of the breakdown of hours, and to see the actual bills, and that out-of-pocket expenses not exceed \$500 total. Jim Welch seconded the motion. Voting was unanimous in the affirmative.

Zoning Committee – David Nussbaumer, Chairman

**CEO REPORT FOR
SEPTEMBER**

1. CEO Report for September: Code Enforcement Officer Bob Grier submitted a monthly report for September, although he wasn't able to attend the board meeting.

INFORMATIONAL ITEMS

**PROCLAMATION:
ARCHIVES
APPRECIATION
WEEK**

1. Archives Appreciation Week: Clerk Green read the following Proclamation:

PROCLAMATION
October 6 through 10, 2003
is Archives Appreciation Week

WHEREAS, the historical records of the Town of Palmyra in Palmyra, Wayne County, New York, are crucial to the way we understand our past and plan for our future; and

WHEREAS, these records have professionally administered and made accessible by dedicated, yet often unheralded, archivists; and

WHEREAS, the work of these archivists and the importance of these records programs seldom receive the recognition they deserve;

NOW, THEREFORE, I, David C. Lyon, Supervisor of the Town of Palmyra, do hereby proclaim the period of October 6 through 10, 2003 to be

Archives Appreciation Week

throughout the town of Palmyra, and urge my fellow citizens to participate in the special activities and learn more about the importance of archives and historical records in our communities.

David C.

Lyon
Palmyra Town Supervisor

Councilman James Welch made to motion that we accept this proclamation and Councilman Miller seconded the motion. Voting was unanimous in the affirmative.

**MTN: ACCEPT
PROCLAMATION**

2. Assessor's Report: Elaine Herman, Town Assessor, submitted her September report to the board of activity in her office throughout the previous month. Of particular note is the new law signed by the Governor that *"requires...financial disclosure forms...of assessors, assessor's clerks, their spouses, the Board of Review..."* among others. Councilman Ken Miller made the motion to abide by the new law and to do our best to comply. No board member seconded the motion. Motion died for lack of a second.

**ASSESSOR'S
REPORT**

3. Archives/Clerk's Office Report: Deputy Town Clerk Betsy Lewis and Town/Village Historian Beth Hoad are assembling items to display at the Town Clerk's office in the Town Hall, starting Monday, October 6—the beginning of Archives Appreciation Week—and running through the month of November—designated as National History Month. Betsy's husband, Dave Lewis, has designed an Access database to input "the information from our Vital Records books. This information includes birth, death and marriage records. When complete...we will be able to perform quick searches of our records" to see if we have them, without having to leaf through the original record books. "This will save a great amount of time and wear and tear on the record books."

**ARCHIVES /
TOWN CLERK'S
OFFICE REPORT**

It was also noted that on Wednesday, September 24, a front-page article about the town's archives, featuring Betsy Lewis, was published. The *Courier-Journal* reporter who wrote the article, Tom Adams, was in attendance at the September 25 meeting, and the board thanked Tom for the interesting article, and for the positive publicity for the town.

**ALDRICH CHANGE
BRIDGE FUND
RAISER BENEFIT**

4. Aldrich Change Bridge Fundraiser Benefit: It was announced that a Benefit Ball was scheduled for Friday evening, October 3, to raise funds to complete the restoration of the Aldrich Change Bridge in Aqueduct Park. At the LDS Church Cultural Hall on Temple Road. A string band, a dance combo, and an exhibition by Brigham Young University Ballroom Championship Dancers, as well as an auction, would be featured.

AGENDA ITEMS**APPROVE GIFT TO
TOWN OF 9/11/01
REMEMBRANCE
FLAG**

1. Gift to the Town—9/11 Remembrance Flag: A Palmyra resident, who prefers not to be named, has donated a "9/11 Remembrance Flag" to the Town of Palmyra. A copy of the design and the symbolism depicted on the flag is included with these minutes as Attachment A. It was designed by a Wolcott resident and is a National Remembrance Flag—September 11, 2001. Councilman Miller made the motion to accept this gift on behalf of the Town, to display it proudly and to keep the donor anonymous. Michael Lambrix seconded the motion. Voting was unanimous in the affirmative.

**SET PUBLIC
HEARING DATE
FOR PHILIP FLINT**

2. Set Public Hearing Date: Special Use Permit requested by Philip Flint to do detail and sell "clean used vehicles" at 4280 Route 31 East requires public hearing. Motion was made by David Nussbaumer and seconded by Michael Lambrix to set the date for October 23, 2003, at 8:00 p.m., at the East Palmyra Fire Hall. Voting was unanimous in the affirmative.

**TENTATIVE 2004
TOWN BUDGET
DISTRIBUTED TO
TOWN BOARD
MEMBERS**

3. Tentative 2004 Budget distributed by Clerk to Town Board members: Clerk Green distributed the 2004 Tentative Budget to the board members for their review. It shows no tax increase in the General Fund and only a \$.08 increase in the Town Fund, with no increase in the Village.

Supervisor Lyon noted that this was the toughest budget year he'd ever seen. With the Garlock reduction in taxes, the total assessment for the town had increased by only \$61,000. In addition, there was a major increase in expenses--\$39,000 in state retirement payments for the town. He was pleased, overall, with the numbers, saying that the only "fly in the ointment" is the insurance figure, which might change. He then asked board members if they are satisfied with this first draft of the budget, and if not, if they wished to schedule another budget work session. All board members stated they were okay with the numbers.

Michael Lambrix made the motion to set the budget hearing date for November 6 at 7:30 p.m. at the Town Hall. Ken Miller seconded the motion. Voting was unanimous in the affirmative.

**MTN: SET
BUDGET
HEARING
DATE**

4. Cole Rd. Creek water backup problem: The problem with the Cole Road creek cleanup will be referred to the Wayne County Soil and Water Agency to see what can be done to resolve the problem. Town Clerk is to send a letter to the Soil & Water Agency, as well as to the two letter writers. Michael Lambrix made the motion to approve requesting the Wayne County Soil and Water Agency to see what can be done to clean up the Cole Road creek problem. David Nussbaumer seconded the motion. Voting was unanimous in the affirmative.

**MTN: COLE RD.
CREEK WATER
BACKUP
REFERRED TO
WAYNE CO.
SOIL & WATER
AGENCY**

5. Redoing intersection at Lusk, Shilling and Goldsmith Roads: A motion was made by Michael Lambrix to retain MRB Group to do the permitting and the engineering for the planned reconstruction of the intersection of Lusk, Shilling and Goldsmith Roads. This would include a major culvert north of Goldsmith Road, on Shilling Road. David Nussbaumer seconded the motion. In the discussion, it was noted that some preliminary engineering has already been done because this is part of the Garnsey-Shilling Area Water District where the new water line is to be laid. Nelson Cook said that with this approval now, the town should be able to secure all the permits in time to start the intersection reconstruction project in early Spring 2004. Voting was unanimous in the affirmative.

**MTN: RETAIN
MRB TO START
ENGINEERING
OF LUSK,
SHILLING,
GOLDSMITH
INTERSECTION
RECONSTRUC-
TION**

6. Wayne County Water and Sewer Authority contract amendment: Supervisor Lyon received a letter from the Wayne County Water and Sewer Authority requesting the board to authorize an amendment to the existing water supply agreement, changing the requirement for notification of rate increases from 90 days to 60 days. This amendment *"has been proposed due to the timing of our [the WCWSA's] normal budget process [requiring adoption by October 31 of each calendar year], coupled with our desire to make rate changes effective as of January 1 of the succeeding year."*

**MTN: WCWSA
CONTRACT
AMENDMENT
APPROVAL**

Supervisor Lyon stated that the WCWSA already has informal approval from all four town supervisors—Marion, Walworth, Macedon and Palmyra. David Nussbaumer made the motion to authorize the Supervisor to sign the contract amendment with the Wayne County Water and Sewer Authority. Michael Lambrix seconded the motion. Voting was unanimous in the affirmative.

7. Participation with Greater Rochester Visitors Association, Inc.: Clerk Green requested Board approval to join with the Greater Rochester Visitors Association, Inc. for greater exposure for Palmyra in tourist displays and broader coverage for attractions. The cost is \$350 per year and is clearly a tourism issue. While

**MTN: TABLE
REQUEST TO
JOIN GREATER
ROCHESTER
VISITORS
ASSOC.**

there are sufficient funds in the town's Tourism budget line for 2003, discussion centered on the town working with the village when it comes to promoting Palmyra as a whole. Michael Lambrix moved that the issue be tabled until next month so it can be determined if the village would like to share the cost of participation in the association. James Welch seconded the motion to table it. Voting was unanimous in the affirmative.

**RABIES CLINIC
AT PALMYRA
TOWN BARN
10/18**

8. Rabies Clinic in Palmyra: Supervisor Lyon noted that on Saturday, October 18, 2003, a Pet Rabies Clinic will be held at the Palmyra Town Barns on Kent Street from 2 to 4 p.m. and is open to the public.

**MTN: APPROVE
CLAIMS &
EXPENDITURES
ON ABSTRACT
56**

9. Claims and Expenditures as shown on Abstract #56: Motion was made by David Nussbaumer and seconded by Michael Lambrix that claims and expenditures shown on Abstract #56, including Voucher Numbers 4382 through 4447, in the amount of \$116,824.05, be approved. Voting was unanimous in the affirmative.

**MTN: TO
ADJOURN MTG**

10. Motion to adjourn: At 8:46 p.m., David Nussbaumer made the motion to adjourn the meeting. Ken Miller seconded the motion. Voting was unanimous.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

Attachment A – National Remembrance Flag—September 11, 2001
information

NEXT MEETING: THURSDAY, OCTOBER 23, 8:00 PM
EAST PALMYRA FIRE HALL