

**REGULAR MEETING OF THE TOWN BOARD  
AUGUST 28, 2003**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, August 28, 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*  
Robert A. Grier, Code Enforcement Officer  
Nelson F. Cook, Highway Superintendent  
Cathe Flanagan, Walker Rd. resident

**MTN:  
APPROVE  
MINUTES OF  
6/26/2003 MTG.**

Motion was made by Michael Lambrix to approve the minutes of the July 24, 2003 meeting of the Town Board. Seconded by Jim Welch. Lyons, Lambrix, Miller and Welch voted aye. David Nussbaumer abstained because he had been absent on July 24.

**COMMUNICATIONS**

1. Letter from Palmyra Community Center about new fees at Town Hall

*"It was recently brought to my attention that a new policy will be implemented relative to rental charges for use of the facilities at the Town office complex. We understand that there have been some instances of improper use of the building by some programs. We addressed previous concerns regarding the unscheduled use of the premises by instructors and are confident that programs run by the center are not part of the improper care problem. As you know, the community center and Town have enjoyed a successful partnership through the use of the town complex. The use of the complex was prompted by the Town's desire to more fully utilize the facility and the center's desire to expand program offerings. The center has significant budget constraints and the use of the town complex has allowed for additional programs for our community. The funding for these programs has in part been*

**UPDATE ON  
WORK DONE  
AT TOWN  
HALL**

*made possible by the Town's generosity with the space at the complex. We hope to continue the successful partnership, however, we need your help through continued exemption from building rent at the complex. We can assure you that our programs will comply with all building security and maintenance requirements. Please let us know your thoughts or decision. We are willing to meet with you or other town officials to discuss further if needed.*

*Thomas G. Hickey  
PCC Board President"*

**2. E-mail from Stephanie Benson at Edgemere Realty:**

*"NYS DHCR has made their funding decisions. For reasons we don't agree with, they did not fund the Garlock Building renovation. We will be meeting with DHCR for an exit interview to find out more about their reasons. As we understand it, DHCR did not fund any of the three proposed projects in Palmyra/Macedon. We are thinking about next steps and expect to resubmit to NYS DHCR in 2004. Thanks for your help with this and we will keep you informed.*

*Stephanie Benson"*

**3. Letter about Cole Road creek clean-out request from Denoskys:**

*"The night of Monday, August 11<sup>th</sup> it rained approximately three inches. The creek along our east property line [3608 Cole Rd.] flooded into our back yard and into our basement. As a result we have had a terrible mess to clean up and have suffered damage. This is not the first time. For this reason we are requesting that the creek be cleaned out as soon as possible to prevent future flooding.*

*"The creek at the west end of Cole Road was cleaned out a couple of years ago. We had hoped that our creek 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. Is there anything we can do to get this request put on the county project list?*

*Respectfully,  
Dwaine and Darlene Denosky"*

Board members recommended that this letter be forwarded to Nelson Cook to handle.

## REPORTS OF STANDING COMMITTEES

### Buildings and Grounds Committee – Ken Miller, Chairman

1. Ken Miller reports he is working with a spread sheet of 29 open items needing attention at Town Hall. Six items have been completed. 2 more are in progress. He is now prioritizing the items as to urgency and cost.
 

**UPDATE ON  
WORK DONE AT  
TOWN HALL**
2. He also updated the board members on the parking lot paving. There were problems during the paving process, as there was a torrential downpour in the middle of the project. This required two days for the paving to be complete, instead of one. This means the project went over budget: \$1432 more for labor, \$107 more for tack coat, and \$4575 of asphalt was lost, bringing the cost to \$6115 over budget—for materials and contractor labor. This doesn't include the extra time and labor provided by Nelson Cook's crew. In addition, the price of asphalt had increased between the time of the quote and the paving, adding to the total increase. The overrun will be taken from the building repair reserve. The parking lot is now fully paved and striped, including handicapped parking spaces, and looks great.
 

**UPDATE ON  
PAVING OF  
PARKING LOT**
3. Ken submitted a first draft of a proposed building usage policy to his fellow board members. He asked them to read it over and submit suggestions, corrections, or ideas to him by September 11. He will then make a second draft using the recommendations, and have it ready for voting by the board at the September 25<sup>th</sup> meeting. Dave Lyon reminded board members to keep in mind the letter from the Palmyra Community Center, which had just been read, when making decisions about cost to the organization and building security.
 

**FIRST DRAFT OF  
PROPOSED  
BLDG. USAGE  
POLICY**
4. Ken Miller had received quotes on Town Hall front window replacement between \$2260 (Advantage Homes) and \$2800 (Best Construction). David Nussbaumer made the motion to accept the Advantage Homes quote of \$2260 for the window replacement project. Ken Miller seconded the motion. Discussion ensued about the difference in the quotes, such as quality, warranty, any repairs to the inside—paint, moulding replacement, etc.—so the board could be sure the quotes were comparable. While it may be less cost to the contractor, there may be greater internal cost to complete the job. Ken said he'd follow up to see that they're equivalent and if there is a lifetime warranty on the windows and installation. If there is a major discrepancy, he agreed to bring the issue back to the board table.
 

**TOWN HALL  
FRONT WINDOW  
REPLACEMENT  
BID RESULTS**

**MTN: ACCEPT  
ADVANTAGE  
HOMES BID**

**ROLL CALL VOTE** A roll call was requested: David Nussbaumer—aye; Michael Lambrix—nay; James Welch —nay; Ken Miller—aye; David Lyon—aye. Motion carried.

### **Highway Committee – Michael Lambrix, Chairman**

**ICE STORM  
DAMAGE REIMB.  
REPORT**

1. Highway Superintendent Nelson Cook reports that the ice storm damage reimbursement was reimbursed at 75% of amounts submitted to Emergency Management. He estimates the total cost between the town and village to be \$180,752.91 and the reimbursable amount to be \$140,099.26, which includes labor and expenses.

**CURRENT HWY.  
PROJECTS AND  
PROGRESS**

2. Cook reports Cole Rd., Parker Rd. and LeRoy Rd. are ready for chip seal in his schedule for keeping town roads in good repair. The second coat on Cambier Rd. is almost done. He had a concern about the intersection Hogback Hill Road and Galloway Bridge Road. Although his crew has already cut brush down, visibility is poor, and he feels it is dangerous. Supervisor Lyon reassured him that this had been brought up at the previous board meeting and plans are to have it looked at again. Cook is looking for a recommendation from the Traffic Safety Board.

**THANKS TO SUPT.  
COOK AND CREW**

3. Mike Lambrix thanked Cook for the work which has been done by him and his crew this summer, noting it has been done well.

### **Planning Committee – James Welch, Chairman**

**MASTER PLAN  
COMPLETION  
UPDATE**

1. Chairman Welch had several projects to discuss. First was the Master Plan. Dave Lyon said Stuart Brown Associates have submitted a proposed contract and should be available for the board meeting in September for review. Welch wanted to know if Brown is already working on the plan, would it be ready for board discussion the first of the year, or what the holdup is at this point.

**MOTEL PROJECT  
STATUS REQUEST**

2. The second project he had received some calls on is the status of the motel project on Route 21. Supervisor Lyon said at this point there is very little movement.

### **Zoning Committee – David Nussbaumer, Chairman**

**CEO REPORT FOR  
AUGUST**

1. CEO Report for August: Code Enforcement Officer Bob Grier submitted a monthly report for August adding he is aware of existing building permit information now on a daily basis with

his new software. This makes things much more efficient on follow up. Grier charted over 80 inspections and permits this month, with 216 permits year to date.

Ken Miller noted that some open complaints on the CEO report are three months old. Grier notes that some who have been cited for violations have ignored them. They then have to be served by the court, although phone contact usually works. He feels that people need to understand that there are consequences for ignoring these violations.

2. Division Street property update: There is an abandoned property with two mobile homes on Division St. Grier has contacted the owner to take care of debris. Since the board passed a resolution about two years ago concerning nuisance abatement, he will be asking Nelson Cook's crew to remove the second mobile home and clean out the garage. No one has lived there in the last five years. The cost of doing this work will be added to the property owner's taxes levied against the property. He also said he can condemn the structures if he can get inside.

**DIVISION ST.  
ABANDONED  
PROPERTY**

## INFORMATIONAL ITEMS

1. Marina "park" contributions: A memo from Village Clerk Alicia Lynch was read which says, "*Superintendent [of Parks and Cemeteries] Roger Weaver has designed a landscape grouping that will be installed at the Marina park sometime next year. The [Village] Board will be dedicating the area in memory of former Mayor Pete Wilson. The 'park' will be paid for from private contributions. Anyone wishing to contribute can drop off cash or checks made payable to me [Alicia Lynch]. The dedication will take place sometime next year.*"
2. Assessor's Report: Elaine Herman, Town Assessor, submitted her August 28, 2003 report to the board of activity in her office throughout the previous month. She and her assistant, Joan Gates, passed their self-study courses in data collection and mass appraisal. She has already received the new software discs to update the PCs in her office from Windows 98 to XP. The county will install the program after all their tax bills are run.
3. Archives/Clerk's Office Report: Deputy Town Clerk Betsy Lewis prepared a report to the board detailing the doings in the Town Clerk's office during August. We took delivery of four fireproof map and plan file cabinets—three for the Code

**MARINA "PARK"  
CONTRIBUTIONS**

**ASSESSOR'S  
REPORT FOR  
AUGUST**

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

**TWO NEW CLERKS  
IN TOWN OFFICE**

Enforcement Office and one for the Highway Department. Transcribing of minutes of the meetings taken place during the 1790s continues by volunteers. The Town Clerk's office had two new clerks start work during August to help with customers at the counter, phone calls and other projects in updating and streamlining procedures in the office, as well as archival and historical information. One clerk, Celeste Finewood, has been hired by the town as a part-time short-term hire. The other Clerk, Veronica Miller, is part of the Workforce Development program from the county. Betsy's husband, Dave Lewis, will be helping the office by designing forms which can be used to input Vital Records into electronic format for fast and easy searches. Betsy also updates the town/village web site on a regular basis. She also reports that sporting license sales have begun for the new hunting season. Things this year are running more smoothly than last. Customers are delighted.

**PALMYRA TASK  
FORCE TOWN  
REP. RESIGNS**

4. Palmyra Task Force: Betsy Lewis has been the town board's representative to the Palmyra Task Force, a group formally organized by the village, to focus on bringing new businesses into Palmyra. She finds it necessary to resign from the Task Force. Supervisor Lyon asked board members if one of them would be interested in representing the town. James Welch says that, as a local businessman, he would be interested in finding out more about the Task Force. Lynne Green is to get details to him.

**UPCOMING  
TELECONFERENCE  
AT CO-OP EXT  
OFFICE**

5. Teleconference: "Town Hall Meeting with Alan G. Hevesi" The New York State Comptroller is broadcasting a teleconference from Albany to pre-designated points all across the state on Tuesday, September 9. Locally, it is being held at the Cornell Cooperative Extension office on Route 88 in Newark and concerns pension fund, employer contributions, benefits to members, etc. Those interested should contact Lynne Green for reservations. Motion was made by Ken Miller and seconded by Mike Lambrix to reimburse the \$10 fee to anyone who attends the session. Voting was unanimous.

**2004 BUDGET  
WORKSHEETS  
DUE**

6. Budget worksheets for 2004: Supervisor Lyon reminded board members to turn in their proposed budget worksheets to Petra by Friday, August 29. He then declared two budget work sessions on Thursday, September 11 and Thursday, September 18 at 7:30 p.m. in the Code Enforcement office.

**CANALTOWN  
DAYS PARADE**

7. Canaltown Days parade: Canaltown Days 2003 is scheduled for September 13 and 14. The town officials will be represented. Ken Miller offered to drive the truck which will have magnetic signs on the side which say "Town Officials." The parade starts at 4 p.m. and the theme of the parade is patriotic.

8. Hazardous spill at Garlock plant: Supervisor Lyon noted that there had recently been a hazardous spill at Garlock in which the Palmyra Fire Department was involved. He had been notified of the problem by the fire department. The spill was quickly contained and cleanup procedures implemented by Garlock.

**GARLOCK  
PLANT  
HAZARDOUS  
SPILL**

## AGENDA ITEMS

1. Gift to the Town—*The Burling Books*—relating to Admiral William T. Sampson: A two-volume set of books entitled "*The Burling Books: Ancestors and Descendants of Edward and Grace Burling, Quakers [1600-2000]*" by Jane Thompson-Stahr, a descendant of Admiral William T. Sampson, a resident of Palmyra in the late 1800s, was presented as a gift to the Town of Palmyra from Robert Cornely of Marietta, GA. A copy of both volumes was available at the board meeting. Motion was made by Michael Lambrix and seconded by Kenneth Miller to accept this gift with thanks. Voting was unanimous.

**"THE BURLING  
BOOKS" GIFT TO  
THE TOWN BY  
DESCENDANTS  
OF ADMIRAL  
WILLIAM T.  
SAMPSON**

2. Budget Resolutions: Adjustments to the 2003 budget were proposed as follows:

**ADJUSTMENTS  
TO 2003 BUDGET**

- a. Resolution to modify the 2003 Budget by an increase to revenue account A2210 – General Service/Other Governments in the amount of \$850.00 and an increase to expense account A1680.100 – Computer Support/Personal Services in the amount of \$850.00 to reflect the Village of Palmyra's portion of maintenance for the website.

**MTN: ADJUST  
PAL VILLAGE  
AMT FOR WEB  
SITE MAINT.**

Michael Lambrix made the motion to approve Resolution A and David Nussbaumer seconded the motion. Voting was unanimous.

- b. Resolution to modify the 2003 Budget by an increase to revenue account A3389 – State Aid/Other Public Safety in the amount of \$50,000.00 and an increase to expense accounts A1620.200 – Building/Equipment in the amount of \$4,633.00, A1620.400 – Building Contractual Expense in the amount of \$15,367.00 and A3989.400 – Other Public Safety in the amount of \$30,000.00 to reflect state funding monies received.

**MTN: ADJUST TO  
REFLECT STATE  
FUNDING  
MONIES RECD.**

David Nussbaumer made the motion to approve Resolution B and Michael Lambrix seconded the motion. Voting was unanimous.

- c. Resolution to modify the 2003 Budget by an increase to revenue account A3060 – State Aid/Records Management in the amount of \$10,889.00 and an increase to expense account

**MTN: ADJUST TO REFLECT GRANT MONIES RECD**

A1460.200 – Records Management/Equipment in the amount of \$10,889.00 to reflect grant monies received from New York State Archives.

David Nussbaumer made the motion to approve Resolution C and Michael Lambrix seconded the motion. Voting was unanimous.

**MTN: EXPEND FROM BONDED INDEBTEDNESS RESERVE**

d. Resolution to expend from the Bonded Indebtedness Reserve the amount of \$1,270.00 for the payment of the principal and interest on the bond for the town hall per the 2003 Budget.

Michael Lambrix made the motion to approve Resolution D and David Nussbaumer seconded the motion. Voting was unanimous.

3. Hydesville Road Water District: In order to complete the paperwork for the Hydesville Rd. Water project, Stu Brown recommended the adoption of the Lateral Restrictions Resolution:

**HYDESVILLE RD. WATER DISTRICT LATERAL RESTRICTIONS RESOLUTION**

**TOWN OF PALMYRA  
HYDESVILLE ROAD WATER DISTRICT  
LATERAL RESTRICTIONS RESOLUTION**

*WHEREAS, the Town Board of the Town of Palmyra has created the Hydesville Road Water District pursuant to Town Law for the express purpose of providing public water supply to residents along portions of Hydesville Road and Hazen Lane; and*

*WHEREAS, part of the land area within the Hydesville Road Water District is also within Wayne County Agricultural District No. 3; and*

*WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action Within an Agricultural District and to evaluate the impact of providing a source of public water supply within this area on lands within Agricultural District No. 3; and*

*WHEREAS, the New York State Department of Agriculture and Markets has expressed concern about the potential adverse impact that said public water supply is likely to have on agriculture within the Agricultural District,*

*NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra, in recognition of the concerns that have been raised, hereby resolves to limit connections to the public water supply only to existing non-farm uses and to farm related uses within that portion of Hydesville Road Water District which is also within the limits of Wayne County Agricultural District No. 3.*

**MTN: APPROVE HYDESVILLE RD. WATER DIST. LATERAL RESTRICTIONS RESOLUTION**

Michael Lambrix made the motion to approve the Hydesville Road Water District Lateral Restrictions Resolution. Ken Miller seconded the motion. Voting was unanimous.



Supervisor David Lyon noted that the Hydesville water project wouldn't have been possible had it not been for a \$600,000 grant to the town by U.S. Congressman James Walsh.

**ACKNOWLEDGE-  
MENT OF GRANT  
FROM CONGRESS-  
MAN JAMES  
WALSH**

- 4. National Alcohol & Drug Addiction Recovery Month: The town has received notice that September is National Alcohol & Drug Addiction Recovery Month. In order to show the town's support for this cause the following Proclamation was read to the board members for their approval:

**September is National Alcohol & Drug Addiction Recovery Month**

**PROCLAMATION:  
SEPT. IS NAT'L  
ALCOHOL & DRUG  
ADDICTION  
RECOVERY  
MONTH**

*WHEREAS, on behalf of the citizens of Wayne County, I am pleased to join the Board of Supervisors in celebrating September 2003 as National Alcohol and Drug Addiction Recovery Month in Wayne County; and*

*WHEREAS, acknowledging September 2003 offers those involved in substance abuse treatment an opportunity to educate the public, community organizations, public officials, and civic leaders about the effectiveness of treatment, both societal and financial; and*

*WHEREAS, substance abuse disorders are major public health problems that affect millions of Americans of all ages, races and ethnic backgrounds and in all communities, and have huge medical, societal and economic cost; and*

*WHEREAS, thousands of health care providers have dedicated their lives to the recovery process and to the education of the public about alcoholism, drug dependence, and treatment issues; and*

*WHEREAS, the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration's Center for Substance Abuse Treatment; the Office of National Drug Control Policy; along with the Clifton Springs Hospital Addiction Recovery Unit, the Council on Alcoholism and Other Chemical Dependencies of the Finger Lakes, the Finger Lakes Addictions Counseling and Referral Agency, Hannick Hall (Catholic Family Center Restart Substance Abuse Treatment Program), and the Wayne County Substance Abuse Counseling Treatment Program invite all residents of Wayne County to participate in National Alcohol and Drug Addiction Recovery Month;*

*NOW, THEREFORE, I, David C. Lyon, Supervisor of the Town of Palmyra, do hereby proclaim the month of September 2003 as*

**National Alcohol & Drug Addiction Recovery Month**

*in Wayne County and encourage all citizens to support this year's theme, "Join the Voices for Recovery: Celebrating Health" by supporting men, women, youth and their families who are in drug and alcohol addiction treatment and recovery.*

**MTN: APPROVE  
PROCLAMATION**

Michael Lambrix made the motion to approve the proclamation. David Nussbaumer seconded the motion. Voting was unanimous.

**MTN: APPROVE  
ABSTRACT #55**

5. Claims and Expenditures as shown on Abstract #55: Motion was made by David Nussbaumer and seconded by Michael Lambrix that claims and expenditures shown on Abstract #55, including Voucher Numbers 4305 through 4381, in the amount of \$122,641.43, be approved. Voting was unanimous.

**MTN: TO  
ADJOURN  
MEETING**

6. At 8:56 p.m., Mike Lambrix made the motion to adjourn the meeting. Mike Lambrix seconded the motion. Voting was unanimous.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

**Next town board meeting is scheduled for  
Thursday, September 25, 2003 at 8 p.m. at the Town Hall.**