

HEARING FOR NUISANCE PROPERTY -- NORTH CREEK ROAD

**PALMYRA TOWN HALL
DECEMBER 27, 2007**

The Hearing scheduled for Thursday, December 27, 2007 at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, to consider the designated nuisance property on North Creek Road, was called to order at 7:30 p.m. by Town Supervisor David Lyon.

**HEARING
CALLED TO
ORDER**

No one in the Large Meeting Room at Town Hall was in attendance at this time, representing Scott Blackburn, the owner of the specific North Creek Road property in question.

Since there was no one representing the Blackburns, Dave Lyon declared the hearing closed at 7:31 p.m.

**HEARING
CLOSED**

**REGULAR MEETING OF THE TOWN BOARD
DECEMBER 27, 2007**

At 7:31 p.m., Supervisor Lyon called to order the regular town board meeting, scheduled to be held on Thursday, December 27, 2007, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY.

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:

- David C. Lyon, Supervisor
- James Welch, Councilman
- David Nussbaumer, Councilman
- Kenneth Miller, Councilman
- Michael Lambrix, Councilman

ROLL CALL

Also attending the meeting: Palmyra Highway Superintendent Mike Boesel, Billie Rae Walker, reporter for the *Courier-Journal*, Code Enforcement Officer Bob Grier, and Carol and Ed Plesa.

**MEETING
ATTENDANCE**

Motion was made by Dave Nussbaumer to approve the minutes November 29, 2007 meeting of the Town Board.

Second: Mike Lambrix

Vote: 5 ayes. Carried.

**MTN: APPRV
11/29/2007 TOWN
BOARD MTG
MINUTES**

COMMUNICATIONS

**WAYNE COUNTY
DISCOUNT
PRESCRIPTION
INFORMATION**

- 1. Wayne County Discount Prescription Information: A flyer was received outlining the discounts available for prescriptions for Wayne County residents, along with discount cards. Supervisor Lyon explained that these are primarily intended for people without prescription coverage.

**CIRCULATION
INFORMATION
PROVIDED BY
THE TIMES OF
WAYNE COUNTY
NEWSPAPER**

- 2. The Times of Wayne County information: Local newspaper, *The Times of Wayne County*, has been interested in becoming an official newspaper of the Town for several years. They provided a sheet of paid circulation information and other publishing data for consideration by town board members.

REPORTS BY STANDING COMMITTEES

**Buildings and Grounds Committee – Kenneth Miller,
Chairman**

Ken Miller reported that several electrical issues had been addressed during December, including all Exit signs in the building. Exterior lights had been fixed at several side exits, and a fax line in the Congressman's office had been fixed as well. New windows are expected in the Congressional Aide's office tomorrow.

**BUILDINGS AND
GROUNDS
REPORT FOR
DECEMBER**

Heat tapes have been put up on the back of the building to prevent ice buildup on the roof, and Lang Heating and Cooling has worked on the furnaces, including replacing filters as needed.

Ken also thanked Mike Boesel and the highway crew who helped out at Town Hall during our recent snowfall, and Sparky Hall, who salted and shoveled the walkways for public safety.

Highway Committee – James Welch, Chairman

**HIGHWAY
DEPARTMENT
REPORT FOR
DECEMBER**

- 1. Highway Department Report for December: Mike Boesel updated the town board on the things the Highway Department has been working on during December. He reported it as being a busy month, with plows out 31 times so far, compared to 6 times in December 2006.

Highway Superintendent Report for Town Board Meeting
12/27/2007

Since the 11/29/07 meeting we have completed the following work:

- Brushmowing – Jagger Road
- Tree trimming – Quaker Road
- Truck plow frame/plow/wing/sander maintenance and setups – all trucks
- Pothole patching – various roads
- Snowfence – Maple Ave and Daansen Road

- Plowing/Sanding – We have been out of the barn on 31 occasions this season. By comparison, we were only out 6 times at this point last year. Our sand mix and salt barns are both half full with all the snow this December and I will be ordering salt and hauling more sand in the next couple weeks.

- Phone System – For the past 2 months Karen and I have been inquiring into a new phone system for the highway department. We have some quotes from vendors. We are in need of new equipment hardware. Our current system is over 20 years old and we have had to remove a phone from the shop to use in Karen's office recently. I am requesting approval to purchase this equipment and look forward to discussing this further at our meeting.

- SMSI Grant – A copy of the grant application submission is filed in the Town Clerk's office. It needed to be submitted by 12/14. We will be invoicing the Town of Macedon, Town of Walworth and Village of Palmyra for their portions of the grant writing next week. I hope to hear some good news about the grant in the next 6-8 weeks.

- Sign Inventory – We started to review the sign evaluation study again. 'Signs for Immediate Replacement' have previously been addressed. We are starting to look at addressing the 'Signage Recommended' section as well as the 'Signs Requiring Advance Distance Correction' and the 'Signs Requiring Panel Height Adjustment'.

- Equipment Update –
 - T12 new re-cap tires installed, C1 – new tires installed
 - All trucks and equipment are currently being looked at for daily maintenance items.
 - E-62 push plow quick-connect fabrication

**HIGHWAY
DEPARTMENT
REPORT FOR
DECEMBER**

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

MTN: ADD NEW TELEPHONE SYSTEM TO PRINTED AGENDA

- 2. Addition to Printed Agenda: Jim Welch wanted to add discussion of a new telephone system for the Highway Department to the printed agenda. Supervisor Lyon said adding one item is allowed by the rules governing town meetings, so Jim made the motion to add it to this evening's agenda.

Second: Dave Nussbaumer Vote: 5 ayes. Carried.

- 3. Telephone System for Highway Department: Palmyra Highway Superintendent Mike Boesel brought two quotes for telephone systems tonight. One quote, from Tricom Communications of Rochester, for installation, equipment and two-year warranty for a complete phone system at \$3,502.40. The second quote, from Broadview Solutions Group, came in at \$3,422. Mike seemed to favor Broadview's proposal, "since Broadview is our (the town's) service provider," he said. The equipment and service would be by Nortel.

MTN: PURCHASE TELEPHONE SYSTEM FOR HIGHWAY DEPT.

Mike Lambrix felt it was too expensive, and that the money should be put towards the much-needed lift. Discussion ensued. Jim Welch then made the motion to approve the Broadview proposal not to exceed \$3,422.

Second: Ken Miller Roll Call Vote: Carried.

	Dave Lyon	Aye
	Ken Miller	Aye
	Dave Nussbaumer	Aye
	Jim Welch	Aye
	Mike Lambrix	Nay

ROLL CALL VOTE

THANKS TO HIGHWAY CREW FOR SNOW REMOVAL

- 4. Jim Welch wanted to publicly thank the highway crew for the good job they've done of snow removal.

Planning & Economic Development Committee – Mike Lambrix, Chairman

There was no report for December.

Zoning Committee – David Nussbaumer, Chairman

CEO REPORT FOR DECEMBER

- 1. CEO Report: Code Enforcement Officer Bob Grier submitted his monthly report, summarizing activity through December 26.

- 2. Zoning Update on New Construction: Bob Grier said the construction at Garlock and at the new Cross Creek Church has not changed much. **ZONING UPDATE ON NEW CONSTRUCTION**

- 3. Outstanding Building Permits: Dave Lyon mentioned there are several outstanding permit applications since the middle of 2006. Bob said they're in line for court appearances, and that they are landlord/tenant situations. Most of the focus of the Zoning office is now multi-family buildings, particularly in the village. He has brought landlords into court recently, and it's part of the state mandate for regular inspections of apartments. **OUTSTANDING BUILDING PERMITS**

- 4. Nuisance Property at 936 Garnsey Road: Bob Grier presented information to town board members about a nuisance property at 936 Garnsey Road. He said it should be handled like the North Creek Road nuisance property: notify the owner by certified mail, schedule a hearing for owner to appear and offer a cleanup plan, owner has 30 days to start cleanup, owner has 60 days after that to complete cleanup, or the town board will order the cleanup and add the cost to the owner's taxes. **NUISANCE PROPERTY AT 936 GARNSEY ROAD**

INFORMATIONAL ITEMS

- 1. Town Clerk's Report for December: Deputy Town Clerk Irene Unterborn passed her Notary exam. That makes all clerks in the office Notaries Public. Town/County tax bills have been printed and are ready to send on Dec. 31. Year-end procedures are in place to close out the year. Celeste is working on a grant for Archives in 2008. **TOWN CLERK'S REPORT FOR DECEMBER**

- 2. Palmyra Library Proposal: Representatives from the Palmyra Library will meet with State Senator Michael Nozzolio to discuss legislature to authorize a special vote to create a special legislative district public library. Patricia Baynes, Library Director, asked the town board to write a letter of support to Senator Nozzolio. Board members received copies of the handout provided by Ms. Baynes. Dave Lyon said he would like to meet with her to discuss this further. **PALMYRA LIBRARY PROPOSAL FOR SPECIAL LEGISLATIVE DISTRICT PUBLIC LIBRARY**

AGENDA ITEMS

- 1. North Creek Road Nuisance Property Action: Since property owner Scott Blackburn didn't show up at the meeting tonight, the town board wasn't able to learn of a plan for action for the North Creek Road nuisance property. Code Enforcement Officer Bob Grier said, technically, the owner has until January 4--30 days after the Return Receipt says he received the letter from the town--to start the cleanup. He added the board could order the cleanup now, or wait until January 4. Dave Lyon said the board could let it go until the January 3rd organizational meeting to see if he starts. Bob Grier added that the board could wait until the January 24th meeting, and if cleanup hasn't started, they could appoint someone to do the cleanup.

Discussion ensued, including Ken Miller saying he's been on the property and feels the cleanup may not be sufficient--that the land may need remediation if it is contaminated. The question arose if Blackburn still owns the property, or if it has been foreclosed by a lender. Dave Lyon suggested the town check on the ownership before proceeding with any cleanup action.

**MTN:
 AUTHORIZE
 CLEANUP OF
 NORTH CREEK
 NUISANCE
 PROPERTY**

Assuming Blackburn is still the owner, Dave Nussbaumer made the motion to authorize the cleanup if Blackburn hasn't started by January 3.

Second: Mike Lambrix Vote: 5 ayes. Carried.

- 2. Resolution: Authorize Town Representative for SW Quadrant Sewer District with USDA: The following resolution was submitted to the town concerning executing and submitting an application for grant and/or loan assistance:

**RESOLUTION:
 AUTHORIZE
 TOWN REP FOR
 SW QUADRANT
 SEWER
 DISTRICT WITH
 U.S.D.A.**

"RESOLVED, that the Supervisor of the Town of Palmyra, Wayne County, New York, is hereby authorized as the official representative of the Town to execute and submit an application to the U.S. Department of Agriculture, Rural Development, for grant and/or loan assistance for the construction of improvements to serve the Southwest Quadrant Sewer District, which will include an area along Bear Hill Drive, Rolfe Street and Crestwood Drive, as well as along easements on private property between the Crestwood and Bear Hill subdivisions, and the Supervisor is hereby authorized and directed to act in connection with the submission of the application and to provide such additional information as may be required."

Councilman Mike Lambrix made the motion to adopt this resolution.

**MTN: ADOPT
RESOLUTION**

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

- 3. Resolution: Authorize Town Representative for Johnson-Floodman Water District with USDA: The following resolution was submitted to the town concerning executing and submitting an application for grant and/or loan assistance:

**RESOLUTION:
AUTHORIZE
TOWN REP FOR
JOHNSON-
FLOODMAN
WATER
DISTRICT WITH
U.S.D.A.**

"RESOLVED, that the Supervisor of the Town of Palmyra, Wayne County, New York, is hereby authorized as the official representative of the Town to execute and submit an application to the U.S. Department of Agriculture, Rural Development, for grant and/or loan assistance for the construction of improvements to serve the Johnson-Floodman Water District, which includes portions of South Creek, Floodman, Parker, Johnson and Townline Roads, and the Supervisor is hereby authorized and directed to act in connection with the submission of the application and to provide such additional information as may be required."

Councilman Dave Nussbaumer made the motion to adopt this resolution.

**MTN: ADOPT
RESOLUTION**

Second: Ken Miller Vote: 5 Ayes. Carried.

- 4. Resolution: Lateral Restrictions for Johnson-Floodman Water District: The following resolution was submitted to the town concerning lateral restrictions to avoid potential adverse impact on agriculture:

LATERAL RESTRICTIONS RESOLUTION

"WHEREAS, the Town Board of the Town of Palmyra has created the Johnson-Floodman Water District pursuant to Town Law for the express purpose of providing public water supply to residents along portions of South Creek, Floodman, Parker, Johnson and South Townline Roads; and

**RESOLUTION:
LATERAL
RESTRICTIONS
FOR JOHNSON-
FLOODMAN
WATER
DISTRICT**

WHEREAS, part of the land area within the Johnson-Floodman Water District is also within Wayne County Agricultural Districts No. 3 and No. 4; 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 Districts No. 3 and No. 4; 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 Districts;

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 Johnson-Floodman Water District, which is also within the limits of Wayne County Agricultural Districts No. 3 and No. 4."

Dated: December 27, 2007

**MTN: ADOPT
RESOLUTION**

Councilman Mike Lambrix made the motion to adopt this resolution.

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

- 5. Resolution and Order for Public Hearing--Johnson-Floodman Water District: Dave Lyon told the town board that due to some legal technicalities, it would be necessary to hold a second public hearing for the Johnson-Floodman Water District. Mike Lambrix made the motion to schedule the public hearing for Thursday, January 24, 2008, at 7:30 p.m. at the Palmyra Town Hall.

**MTN: SCHEDULE
2ND PUBLIC
HEARING FOR
JOHNSON-
FLOODMAN
WATER
DISTRICT**

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

**In The Matter of the Creation of
Johnson-Floodman Water District in the
Town of Palmyra, County of Wayne, State of New York**

Resolution and Order for Public Hearing

WHEREAS, a written Petition in multiple parts, dated October 25, 2007 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Palmyra, Wayne County, New York for the establishment of the Johnson-Floodman Water District in said Town to be bounded and described as follows:

**RESOLUTION &
ORDER FOR
PUBLIC
HEARING--
JOHNSON-
FLOODMAN
WATER
DISTRICT**

ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Town of Palmyra, County of Wayne and State of New York outside of the Village of Palmyra and any existing Water District bounded and described as follows:

SCHEDULE "A"

LEGAL DESCRIPTION OF PREMISES

ALL THAT TRACT or parcel of land situate in the Town of Palmyra, County of Wayne and State of New York, situate outside of an incorporated Village bounded and described as follows:

Parcel A – Beginning at the intersection of the north line of the Central Water District with the centerline of Parker Road; thence

- 1) Easterly along the north line of the Central Water District to the east line of tax map parcel number 65112-00-181847; thence
- 2) Northerly along the east line of tax map parcel numbers 65112-00-181847, 65112-00-099960 and 64113-00-977131 to the northeast corner of tax map parcel number 64113-00-977131; thence
- 3) Westerly along the north line of tax map parcel number 64113-00-977131 to the northwest corner of the tax map parcel; thence
- 4) Southerly along the west line of tax map parcel numbers 64113-00-977131, 64112-00-874995 and 64112-00-843860 to the north line of the Central Water District; thence
- 5) Easterly along the north line of the Central Water District to the point and place of beginning.

Parcel B – Beginning at the intersection of the west line of the Central Water District with the south line of the Town of Palmyra; thence

- 1) North along the west line of the Central Water District to the intersection of the south line of the East Water District with the north line of tax map parcel number 65111-00-419265; thence
- 2) Westerly along the south line of the East Water District and northerly along said east line till it intersects on Howell Street the south line of the Village of Palmyra; thence
- 3) Westerly along the south line of the Village of Palmyra till it intersects the east line of the Canandaigua Road Water District; thence
- 4) Southerly along the west line of the Canandaigua Road Water District till it intersects with the north line of the Central Water District; thence
- 5) Southerly along the east line of the Central Water District and Extension No. 1 of the Central Water District till it intersects with the south line of the Town of Palmyra; thence
- 6) Easterly along the south line of the Town of Palmyra to the point of beginning.

Parcel B Alternate – Beginning at the intersection of the centerline of South Townline Road with the west line of the Central Water District; thence

- 1) Northerly, easterly and northerly along the west line of the Central Water District to its intersection with the centerline of Vienna Road; thence

**RESOLUTION &
ORDER FOR
PUBLIC
HEARING--
JOHNSON-
FLOODMAN
WATER
DISTRICT**

- 2) Northerly along the centerline of Vienna Road to its intersection with the south line of the East Water District; thence
- 3) Westerly, southerly, westerly, northerly, easterly, northerly, westerly, southerly, westerly, southerly, westerly and northerly along the south, east and west lines of the East Water District to the south line of the Village of Palmyra; thence
- 4) Westerly along the south line of the Village of Palmyra to its intersection with the east line of the Johnson Road Water District; thence
- 5) Southerly, westerly and northerly along the east, south and west line of the Johnson Road Water District to the south line of the Village of Palmyra; thence
- 6) Westerly along the south line of the Village of Palmyra to the west line of the Canandaigua Road Water District; thence
- 7) Southerly, westerly and southerly along the Canandaigua Road Water District to the north line of the Central Water District; thence
- 8) Easterly, southerly, easterly, southerly and easterly along the northerly and easterly lines of the Central Water District to the south line of the Town of Palmyra; thence
- 9) Easterly along the town line of the Town of Palmyra to the point and place of beginning.

**RESOLUTION &
ORDER FOR
PUBLIC
HEARING--
JOHNSON-
FLOODMAN
WATER
DISTRICT**

Parcel C – Beginning at the intersection of the west line of the East Palmyra Port Gibson Water District with the south line of the CSX Railroad; thence

- 1) Westerly along the south line of the CSX Railroad to its intersection with South Creek Road; thence
- 2) Westerly along the centerline of South Creek Road to a point 650± feet south of the south line of tax map parcel number 66112-00-231278; thence
- 3) Southeasterly till it intersects with the west line of tax map parcel number 66112-00-325258; thence
- 4) Southerly along the west line of tax map parcel number 66112-00-325258 to its southwest corner; thence
- 5) Easterly along the south line of tax map parcel number 66112-00-325258 till it intersects with the west line of tax map parcel number 66112-00-438198; thence
- 6) Southerly along the west line of tax map parcel number 66112-00-438198 its southwest corner; thence
- 7) Easterly along the south line of tax map parcel numbers 66112-00-438198 and 66112-00-500114 till it intersects with the west line of tax map parcel number 66111-00-629940; thence
- 8) Southerly along the west line of tax map parcel numbers 66111-00-629940 and 66111-00-622840 till it intersects with the north line of the East Palmyra Port Gibson Road Water District; thence
- 9) Easterly along the north line of the East Palmyra Port Gibson Road Water District till it intersects with the west line of said Water District; thence

- 10) Northerly, easterly, northerly, westerly and northerly along the west line of the East Palmyra Port Gibson Road Water District to the point and place of beginning.

Parcel D – Beginning at the intersection of the centerline of the East Palmyra Port Gibson Road Water District with the north line of the County of Wayne, tax map parcel number 66111-00-380292; thence

- 1) Northwesterly and northerly along the north and east lines of the County of Wayne parcel to the north line of tax map parcel number 66111-00-608272; thence
- 2) Easterly along the north line of tax map parcel number 66111-00-608272 and tax map parcel number 66111-00-451412 to the intersection with the west line of the Central Water District; thence
- 3) Easterly along the south line of the Central Water District to its east line and continuing easterly along the north line of tax map parcel number 66111-00-784346 to the north east corner of said parcel; thence
- 4) Southerly along the east line of tax map parcel number 66111-00-784346 to the north line of tax map parcel number 66111-00-864148; thence
- 5) Westerly along the north line of tax map parcel number 66111-00-864148 to a point 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road Water District; thence
- 6) Southerly and always 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road to the north line of the County of Wayne tax map parcel number 66111-00-380292; thence
- 7) Westerly along the north line of the County of Wayne to the point and place of beginning.

**RESOLUTION &
ORDER FOR
PUBLIC
HEARING--
JOHNSON-
FLOODMAN
WATER
DISTRICT**

WHEREAS, the Town Board of the Town of Palmyra has caused a map, plan and report to be prepared by the Town’s consulting engineers, MRB Group, P.C., competent engineers duly licensed by the State of New York for the proposed Johnson-Floodman Water District, consisting of the installation of:

- 1. 29.800 lineal feet of 8” pvc watermain;
- 2. 50 hydrants;
- 3. 31 8” gate valves; and
- 4. Original equipment, machinery, furnishing sewer appurtances, related site work, land rights in land, and professional services all in said map, plan and report which has been duly filed in the Office of the Town Clerk of the Town for public inspection.

WHEREAS, the maximum amount to be expended in the construction of the water distribution system and for the acquisition of land or improvements is \$1,124,000.00.

WHEREAS, the project is subject to the receipt of a grant of \$491,000.00 and the approval of the Office of the State Comptroller.

It is proposed that the average home will pay \$980.00, including water consumption charges in the first year; and it is

ORDERED, that at a meeting of the Town Board of the Town of Palmyra to be held at the Town Hall, 1180 Canandaigua Road, Palmyra, New York on the 24th day of January, 2008 at 7:30 o'clock in the evening of that day to consider the report and plan as filed and to hear all persons interested in the subject thereof concerning the Water District and for such other actions on the vote of said Town Board with relation to the said map, plan and report and for such proceedings as may be required by law or proper in the premises.

**RESOLUTION &
ORDER FOR
PUBLIC
HEARING--
JOHNSON-
FLOODMAN
WATER
DISTRICT**

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Palmyra is hereby authorized and directed to publish a notice of said hearing in the Palmyra *Courier-Journal* and to post a notice of this hearing in the Town Clerk's bulletin board and at such other place and in the time and manner as required by law.

Dated: December 27, 2007

- 6. Professional Services with Integrated Systems: For the last several years, the Town has contracted with Integrated Systems for Engineering Services and Software Development, including network and system troubleshooting, programming, and user technical support, cabling and travel. The greater the time block purchased, the greater the savings per hour.

Supervisor Lyon proposed that we contract with Integrated Systems and, based on prior usage of their services, recommends that we select Option D, contracting for 100+ hours at \$70.00 per hour. He added that they held that rate for us since we have been a customer of theirs. Ken Miller made the motion to approve the Professional Service Agreement with Integrated Systems.

**MTN: APPROVE
PROFESSIONAL
SERVICE
AGREEMENT
WITH
INTEGRATED
SYSTEMS FOR
COMPUTER
WORK**

Second: Jim Welch

Vote: 5 Ayes. Carried.

- 7. Maple/Meadow Sewer Project Engineering Services: MRB Group Engineering firm submitted a quote of \$7500.00 for preliminary engineering work, including cost estimate, proposed financing, field survey, and preparation for and attendance at a public informational meeting for the proposed Maple/Meadow Sewer Project. Mike Lambrix made the motion to approve having MRB proceed with the plan, not to exceed \$7500.00.

**MTN: APPROVE
MRB GROUP
QUOTE FOR
PRELIMINARY
ENGINEERING
SERVICES FOR
MAPLE/MEADOW
SEWER
PROJECT**

Second: Dave Nussbaumer

Vote: 5 Ayes. Carried.

- 8. Reappointment to Town Planning Board: Lyman Kaller's term on the town Planning Board expires on December 31, 2007. Lyman has agreed to serve another five-year term on the Palmyra Town Planning Board. Dave Nussbaumer made the motion to approve the reappointment of Lyman Kaller to the town Planning Board from January 1, 2008 through December 31, 2012.

**MTN:
REAPPOINT
LYMAN KALLER
TO TOWN
PLANNING
BOARD**

Second: Mike Lambrix Vote: 5 Ayes. Carried.

- 9. Appointment to Wayne County Planning Board: Lyman Kaller has also served several terms on the Wayne County Planning Board, as Palmyra's representative to that board. He does not choose to continue on this board when his term is up on December 31st. Nelson Cook is willing to serve on the Wayne County Planning Board as Palmyra's representative, with a term to start January 1, 2008. Mike Lambrix made the motion to appoint Nelson Cook to the Wayne County Planning Board, beginning January 1, 2008.

**MTN: APPOINT
NELSON COOK
TO REPRESENT
PALMYRA ON
WAYNE COUNTY
PLANNING
BOARD**

Second: Jim Welch Vote: 5 ayes. Carried.

- 10. Code Violation at 936 Garnsey Road: Code Enforcement Officer Bob Grier notified the town board of an unsafe vacant property at 936 Garnsey Road (Tax ID#66111-00-049042), reputedly owned by Karen Christopherson, 4599 Bach Lane, Cape Vincent, N.Y. Bob lists several state and town violations on this property, and included photos of several of these violations. Bob stated his responsibility is to bring this unsafe property to the attention of the town board for action. Bob submitted with his Notice of Violations, a procedure for the town board to follow. Dave Nussbaumer made the motion to approve the following resolution, to bring this property into compliance with the law:

**MTN: APPROVE
RESOLUTION TO
CLEAN UP
UNSAFE
PROPERTY AT
936 GARNSEY
ROAD**

Second: Mike Lambrix Vote: 5 Ayes. Carried.

RESOLUTION

NUISANCE PROPERTY

VACANT PROPERTY #66111-00-049042 ---- 936 GARNSEY ROAD

WHEREAS, on the 27th day of December, 2007, information was presented to the Town Board of Palmyra showing the property #66111-00-049042 at 936 Garnsey Road is in violation of Local Law No. 2 of 1999, entitled The Property Nuisance Abatement Law of the Town of Palmyra, and

WHEREAS, after a complaint was received about the condition of the property, an inspection of the property shows an accumulation of tires, several unlicensed vehicles, several tractor trailers and various auto and tractor parts, and

WHEREAS, the property is defined as an unsafe property, in violation of the New York State Uniform Fire Prevention and Building Code, the New York State Public Health Law, and the New York State Sanitary Code, and such violations of the Zoning Law of the Town of Palmyra and other local laws and ordinances, and

WHEREAS, a violation of the New York State Property Maintenance Code, Section 302.1, which states that all exterior property and premises shall be maintained in a clean, safe and sanitary condition, and

WHEREAS, a violation of the New York State Property Maintenance Code, Section 302.8, which states that, except as provided for in statute or other regulations, two or more inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premise, and

WHEREAS, a violation of the Town of Palmyra Zoning Code, Section 612-- Restriction on Use of Trailers, which states (B) Tractor trailers, registered or not, may not be used for storage, and

WHEREAS, a violation of the Town of Palmyra 1967 Junk Yard Ordinance-- Operating a Junk Yard by Definition Without a License, Section 3-- Requirement for Operation or Maintenance, which states that no person shall operate, establish or maintain a junk yard until he (1) has obtained a license to operate a junk yard business and (2) has obtained a certificate of approval for the location of such junk yard;

THEREFORE, BE IT RESOLVED, that the Town will notify the owner of record of this property to bring it into compliance with current zoning laws and ordinances and to appear before the Town Board with a plan for the cleanup, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra concurs with the findings and recommendation of the Code Enforcement Officer to have the Town of Palmyra or its agent bring this property into compliance with current zoning laws and ordinances, if the owner is unable or unwilling to do so, and

BE IT FURTHER RESOLVED, that the repair, securing or removal of such nuisance condition shall commence within thirty (30) days of the service of the notice and shall be completed within sixty (60) days thereafter, unless for good cause shown such time shall be extended, and

BE IT FURTHER RESOLVED, that after due notification to the property owner, and allowing sufficient time to abate the violations and not having done so, if the Town Board of Palmyra or its agent cleans up the property to be in compliance with current zoning laws and ordinances, the cost of that cleanup will be assessed to the land on which the nuisance is located and added to the property owner's taxes.

Dated: December 27, 2007

By Order of the Town Board

**RESOLUTION TO
CLEAN UP
UNSAFE
PROPERTY TO
BRING INTO
COMPLIANCE
WITH LAW**

- 11. Schedule Hearing for Code Violations: In addition to serving notice to Karen Christopherson, reputed owner of the property listed as unsafe, it is necessary for the owner to appear before the town board to discuss her plan for cleaning up the nuisance property. Mike Lambrix made the motion to schedule the hearing for this nuisance property on Thursday, January 24, at 7:45 p.m. at the Palmyra Town Hall.

**MTN:
SCHEDULE
HEARING FOR
NUISANCE
PROPERTY AT
936 GARNSEY
ROAD**

Second: Dave Nussbaumer Vote: 5 ayes. Carried.

- 12. Snow and Ice Control Contract with Wayne County Highway Department: Each winter, the town receives 3 copies of a contract with the Wayne County Highway Department for Snow and Ice Control on County Roads. Terms on the current contract begin October 1, 2007 and end on May 30, 2008. Jim Welch made the motion to approve the new Snow and Ice Control Contract with the Wayne County Highway Department.

**MTN: APPROVE
SNOW & ICE
CONTROL
CONTRACT WITH
WAYNE COUNTY
HIGHWAY DEPT.**

Second: Ken Miller Vote: 5 ayes. Carried.

A copy of this contract is included with these minutes as Attachment A.

- 13. 2008 Modifications to Town Health Insurance Benefits for Employees: In an effort to balance the cost of health care to town employees with increased benefit costs to the town, an agreement has been reached to modify benefits. A resolution was submitted to the town board for approval. Dave Nussbaumer made the motion to approve the resolution which is attached to these minutes as Attachment B.

**MTN: APPROVE
2008
MODIFICATIONS
TO HEALTH
INSURANCE
BENEFITS FOR
TOWN
EMPLOYEES**

Second: Mike Lambrix Vote: 5 ayes. Carried.

- 14. End-of-Year Budget Adjustments to close Fiscal 2007 Year: The following resolution was introduced to the town board for approval:

"BE IT RESOLVED, that the Town of Palmyra Bookkeeper, Petra Anderson, be authorized to make any necessary adjusting and budgetary journal entries in closing the 2007 fiscal year."

**MTN: APPROVE
BUDGET
ADJUSTMENTS
TO CLOSE OUT
2007 FISCAL
YEAR**

Mike Lambrix made the motion to approve this resolution.

Second: Ken Miller Vote: 5 ayes. Carried.

**MTN: APPROVE
NEW PC &
MONITOR
PURCHASE FOR
SUPERVISOR'S
OFFICE**

15. Purchase of new PC and monitor for Supervisor's Office: The request was made to purchase a new desktop computer and monitor for the Secretary to the Town Supervisor. Purchase of a new PC has been approved in the 2008 budget, with payment in 2008. Integrated Systems has quoted a total price of \$997 for this purchase. Dave Nussbaumer made the motion to approve the purchase of a new desktop computer and monitor for the Supervisor's department, not to exceed \$1000.

Second: Jim Welch

Vote: 5 ayes. Carried.

**EMPLOYEE
HANDBOOK
UPDATE TABLED
UNTIL 1/24/08
BOARD
MEETING**

16. Update Town's Employee Handbook: The request was made to update the town's Employee Handbook. Two quotes were obtained, one from Paychex, of Rochester (\$3,725), and one from PublicSector HR Consultants of Syracuse (\$4,500).

Both quotes were thought to be very high by board members in the discussion which followed. It was finally decided to put this item on the agenda for the January 24th board meeting.

**MTN: SCHEDULE
2008 TOWN
ORGANIZATION
MEETING FOR
1/3/2008**

17. Schedule Town Organizational Meeting for 2008: Town Law requires that at the beginning of each fiscal and calendar year, the town hold an organizational meeting. Mike Lambrix made the motion to schedule the 2008 meeting on Thursday, January 3, at 7:30 p.m. at the Palmyra Town Hall.

Second: Dave Nussbaumer

Vote: 5 ayes. Carried.

**MTN: APPROVE
ABSTRACTS
#140 & #141**

18. Approve Abstracts #140 and #141: Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #140 (for vouchers already paid), which includes Voucher Numbers 8751 through 8758, for \$280,371.63; and Abstract #141, (for vouchers to be paid) which includes Voucher Numbers 88759 through 8836 for \$47,101.28.

Second: Mike Lambrix

Vote: 5 ayes. Carried.

**MTN: ADJOURN
MEETING**

19. Motion to Adjourn: At 8:16 p.m., Mike Lambrix made the motion to adjourn the meeting.

Second: Jim Welch

Vote: 4 ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

ATTACHMENTS:

Attachment A: Snow and Ice Control Contract with Wayne County Highway
Department:

Attachment B: Resolution: 2008 Modifications to Town Health Insurance
Benefits for Employees

**NEXT MEETING:
TOWN ORGANIZATIONAL MEETING
THURSDAY, JANUARY 3, 2007, 7:30 P.M.
PALMYRA TOWN HALL**