

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
June 26, 2014**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, June 26, 2014, 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
- Michael Lambrix, Councilman
- Todd J. Pipitone, Councilman

Councilman David Nussbaumer was absent.

Motion was made by Todd Pipitone to approve the minutes of the Town Board meeting on May 22, 2014.

**MTN:
APPROVE
PREVIOUS
TOWN BOARD
MINUTES**

Second: James Welch Vote: 3 Ayes. Carried Including Supervisor Miller

Councilman Lambrix abstained as he was absent from May meeting.

Also attending was: Ron Fannon, Richard Hagar, Betsy Pray, Marc Carrier, Frank Vascukynas, Yvonne Kelly, Rick Konarski, Ora Rothfus, Andrew Lambrix, and Palmyra Highway Superintendent Mike Boesel.

ATTENDANCE

HEARING

HEARING

There was no official hearing this evening.

COMMUNICATIONS

There were no official communications.

**COMMUNICA-
TIONS**

REPORTS OF STANDING COMMITTEES

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

**YVONNE KELLY
AND RICK
KONARSKI, NY
LIFE INSURANCE
COMPANY**

1. Yvonne Kelly and Rick Konarski, Agents from the NY Life Insurance

Company: Supervisor Miller invited Yvonne Kelly and Rick Konarski to speak to the board regarding the voluntary benefits that they offer. It was explained that these benefits, including long life coverage, accidental death, children’s insurance, as well as various other riders, would be totally managed by the payroll company, and not the town, after the insured was initially set up by the town book keeper. He pointed out that in these economic times, employee benefits are getting extremely expensive, yet these benefits would be at no cost to the town. These benefits would also cover the employee whether they worked here or not in the future.

Discussion ensued, and Supervisor Miller asked what the general consensus or the board was: should Ms. Kelly and Mr. Konarski be allowed to put together informational packets and present their insurance options to the town employees? Councilman Pipitone asked for time to look over the information, and Supervisor Miller told them he would get back to them in the morning to give the boards decision.

**ORA ROTHFUS-
FARMLAND
PROTECTION
GRANT
APPLICATION-
KOEBERLE FARMS**

2. Ora Rothfus from Wayne County Economic Development and Planning:

Mr. Rothfus was invited to explain the grant opportunity for Koeberle Farms. The NYS Department of Agriculture & Markets released a “request for proposals”, for local farms to be considered to receive farmland protection funds, in return for sale of the easements to their farmland. When this is agreed to, the owner would have the right to buy, sell, or lease the farm, but the land could not be used for any type of development other than farming, thus helping to keep farming viable in our area. He continued to explain that this is a competitive grant and is not guaranteed, it is actually the same grant money used previously, and that it is a rolling fund. The pre-application and map was shared with the board. As explained in the grant application packet, and by Mr. Rothfus, the “farmland protection program will only fund a maximum of 87.5% of the value of the development rights on farmland. Farmer’s may commit to a sale of their development rights, meaning they will accept 87.5% of the value for the easement, and can decide to assume the 12.5% as an in-kind contribution”.

Much discussion ensued, with many questions from the board. Supervisor Miller asked if this decision could be reversed. Mr. Rothfus said that for all intents and purposes, it would not be easy, and that good farmland is always good farmland. Councilman Pipitone showed concern over an area that could possibly be developed near Canandaigua Rd, and asked if the land could be divided. Mr. Rothfus said that it probably could be. Councilman Lambrix questioned the number of acres needed to apply, and asked why they would be reimbursed for non-farmable land. It was explained that wooded land is considered farmable because of timber, and that the wetlands in question would be the appraiser’s decision when looking at development values. Councilman Welch asked if this whole application was negotiable with the land owner. The answer was “yes”. Additional discussion ensued, and Supervisor Miller said he would be happy to speak with Frank Koeberle.

**KOEBERLE
FARMS
CONTINUED**

The grant deadline was extended to August 4th, 2014, and the Town Clerk has already forwarded our comprehensive plan to NYS. However, if the town does not decide to support it, the application will be “dead in the water”.

3. Letter of Support for the Transportation Alternatives Program:

Supervisor Miller shared a copy of the letter of support previously given to the Village of Palmyra to obtain monies to help finance the “Palmyra Bike-Ped Bypass.”

**SUPPORT
LETTER-
BIKE-PED
BYPASS**

4. Computer Purchases:

Five “CPU’s” were purchased that day by Supervisor Miller to replace the ones that were still running “XP”. This purchase was approved at the previous board meeting not to exceed \$2500.00. Councilman Pipitone asked what was purchased, Supervisor Miller shared that he ordered “5” ACER VX2631-UR10 Desk tops, which are “plain Jane’s” with Windows 7 Home Premium, which he feels is “plenty for what they are used for”. They cost \$367.00 each and were free of shipping.

**COMPUTER
PURCHASES**

Supervisor Miller would like to also add the purchase of Adobe XI, enabling changes of documents that are in PDF format. There will be a vote later in the evening regarding this.

5. DEC Inspection Reports for Landfill:

Letter and reports from Environmental Engineer Mark Amann, P.E., were received and sent to the board earlier in the week by Supervisor Miller. The copy complete with explanation will be attached to the minutes.

**DEC
INSPECTION
REPORT-
LANDFILL**

This report is Attachment A

**ATTACHMENT
A**

**EMPLOYEE
BENEFITS**

6. Discussion Health Insurance Benefits Resolution: Since 2008, the Health Benefits Resolution has not been reviewed. Supervisor Miller stated that Bookkeeper, Petra Anderson, has been asked to update the resolution in order for the board to review at the next board meeting.

**NYS RISK
ASSESSMENT
LETTER**

7. NYS Department of Public Service: A letter from the Department of Public Service addressing risk assessment was forwarded to the board by Supervisor Miller. This letter explained that the local natural gas distribution companies (LDC’s) will be conducting risk assessments of their distribution systems. This is because of the Horsehead’s gas explosion investigation showed what may be evidence of excavation damage to distribution pipelines.

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

1. Town Clerk Office Report for June:

TOWN CLERK OFFICE REPORT TO THE BOARD

JUNE 2014

**TOWN CLERK
OFFICE REPORT**

After last months meeting:

The Real Estate Lease was signed and returned by Wayne County Business Council, Comprehensive Plan along with proper certifications were sent to NYS Ag & Markets, Water Tower Lease was signed (waiting for our copy to be returned), and minutes were sent to the Board Members as well as department heads.

General Information:

June was a perfect month to continue catching up on tasks and building new furniture! Thank you to the highway department (and members of our families) for helping with this huge project ...“some assembly required” was not exactly an accurate description! The office is very user friendly, looks very professional, and as soon as the last phone connection is fixed, we will be able to use the copier for 99% of all printing, faxing, scanning, etc. which will make it much more cost effective.

Deputy Town Clerk, Heidi Jarvis, is a wonderful addition to our team. As well as the usual daily tasks, this month she also reorganized the information room, prepared a spreadsheet for the village regarding dogs (they charge a “kennel fee” of \$10 for village properties that have more than 3 dogs ... something that I never knew and was never asked about!), and cleaned, organized files and built furniture. She is also contacting the numerous dog owners that are delinquent in renewing their licenses.

Records Management co-coordinator, Celeste Finewood has continued working with the Archive and Record Management projects and has completed PDF to TIFF to OCR conversion for all 2009 – 2012 Death, Birth, Marriage, Burial index and Minutes which is all prep work for the Waferfiche project. She has also prepared 12 boxes of records to be taken for destruction.

Through dog licensing, we sold 85 licenses totaling \$691.00, misc sales, including marriages licenses, hunting/fishing, vital record requests, Bingo proceeds, etc – added an additional \$5702.03. Total check disbursements for the month of May were \$6393.03.

Heidi and I attended the April Town Clerk meeting in Williamson. We will be discussing the information we received regarding E-Z Pass this evening.

Councilman Lambrix asked for the acronyms PDF, TIFF, OCR, etc. be written out in the future for clarification in the board reports.

2. Purchase of Furniture for the Town Clerks Office: Councilman Lambrix did a walk thru of the Town Clerk office before the board meeting and commented that the new furniture and layout looked very nice and professional. He also pointed out the scrap of some of the old rotted desks brought in \$129.00 to help offset the cost.

**FURNITURE
PURCHASE –
TOWN CLERK
OFFICE**

3. Sale of NYS E-Z Pass on the Go: The Town Clerk will be seeking approval to sell NYS E-Z Passes at the Town Clerk Office. This would be done as an additional service to the community, and there is no expiration date on the passes. They would have to be purchased in a block of 25 at \$21 each; however, the Wayne County Clerk’s have gotten permission from NYS to split the block of them. Each town will have to apply to NYS separately, but Williamson will purchase the entire 25 passes, and we will purchase a few from them for \$21 each. We will sell them for \$25, and it will be entered into our books under “Misc. sales” as are maps from the county, etc.

**E-Z PASS ON THE
GO**

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

**JUNE HIGHWAY
DEPARTMENT
REPORT**

1. Highway Department report for June: Highway Superintendent Mike Boesel submitted the following report from May 22, 2014 through June 22, 2014.

**Highway Superintendent Report
For Town Board Meeting
06/26/14**

Since the 05/22/14 meeting we have completed the following work:

- Ditching/Drainage work – Garnsey, Hogback, Hanagan, South Town Line, Trolley, Jeffery, Walker
- Brushmowing/Treework – Desmith, Hanagan, South Townline Road
- Inter-municipal Assistance
 - 6/4/14 & 6/5/14 - 2 Palmyra trucks to Lyons/Arcadia for surface treating
 - 6/10/14- 2 Arcadia trucks & 1 roller, 2 Macedon, 3 Marion 1 Lyons truck to Palmyra to assist with surface treating
 - 6/13/14 -1 Palmyra Bobcat/Mill/Operator to Williamson for milling work
 - 6/24/14 & 6/26/14-2 Palmyra trucks to Macedon for surface treating

Other miscellaneous items include:

**JUNE HIGHWAY
DEPARTMENT
REPORT
CONTINUED**

- **Training –**
 - From 6/2/14 – 6/4/14 I attended Annual Highway School in Ithaca, NY. I have been on the Highway School Planning Committee for the past 4 years. Some of the sessions I attended were as follows: Asphalt paving Do's and Don'ts, Unplanned Heavy Usage on Local Roads, Dealing with Difficult Employees, Equipment Inspection & Maintenance, Highway Safety-You Can't Live without It, Managing a Highway Accident Incident, Pavement Preservation, Legal Panel, Culvert Inspection & Management, Highway ROW, CHIPs News, Roadside Death Traps-Meth Lab Disposal Sites.
- **Sanders & Tarps –** All of our sanders were finally put away in late May and tarps were installed on all trucks in early June. We still need to cleanup and paint our plows and wings.
- **Surface Treating -** On June 10th, we chipsealed Jeffery Road, Parker Road and Hanagan Road. We intend to chipseal Trolley Road, Fass Road, South Townline Road and Cornwall Road in early July. Later this summer we are also looking at Goldsmith, Lusk, Desmith and Hanley Roads.
- **Culvert Replacement -** On May 28-29th we replaced a large storm cross culvert on Garnsey Road near the Koeberle Farm with assistance from Randy Schwartz.
- **Cutting Shoulders - Last** week we spent 3 days cutting shoulders with the grader on Trolley, Faas, S.Townline and Cornwall Roads. Most of this shoulder material was hauled to our gravel pit on Newark-Marion Road to be used for pit reclamation purposes.
- **Traffic Counters -** WC Highway is letting me use their tube traffic counters to obtain updated traffic counts around the Town. We started 2 weeks ago and should complete the Town next week. I last obtained traffic volume counts around the Town back in 2008. This information is helpful in prioritizing our road work.

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

**HIGHWAY
SHOOL-
ROAD SIDE
DEATH TRAPS**

Hwy Superintendent Mike Boesel also added that he attended highway school in the beginning of June, and one of the most interesting topics was entitled "Road Side Death Traps – Meth Lab Disposal Sites." This is a practice where meth labs are disposing of their by products on the sides of public roads in plastic bags. The highway department has employees that pick up garbage on the sides of roads, so he will now have to educate them on how to handle this properly. Mr. Boesel also learned that this is a widespread problem, and though we do not have that problem yet, we will most likely see it in the future.

The other topic Mr. Boesel touched on was the traffic counters that have been placed throughout the town. He stated that these are a very

important tool when planning which roads are more heavily traveled, which should be fixed first, and how much money should be spent fixing them. Finally he stated that he is always conscientious when spending taxpayer money and will share the collected data at the next meeting.

**TRAFFIC
COUNTERS**

Councilman Lambrix inquired as to whether or not we have received word yet from the NYS DOT regarding the speed limit on Walker Rd. We have not heard back as of yet, and Mr. Boesel said he has driven Walker Rd numerous times, and his inventory of speed limit signs very closely matches the signs that are currently posted there. He believes that speed is more the issue there, and not the number of signs.

2. Highway Department Inspection by Department of Health:
Councilman Welch pointed out that the letter from NYS Dept. of Health showed that there were no signs of smoking observed at that time.

**HEALTH DEPT.
INSPECTION- NO
SMOKING**

3. Excavation Permit from NYSEG for Division Street: Highway Superintendent Mike Boesel said that we have had these permits in the past, and that he has no issue with them upsizing the service in that area. There will be approval for the Supervisor to sign this permit asked for later in the meeting.

**NYSEG
EXCAVATION
PERMIT**

HWY Superintendent Boesel asked for the board members to think about one last thing. Mr. Boesel told the board that he has a need for a projector for training purposes, and was wondering if we had a need as well at the Town Hall so that we could share the cost of one. He stated that there are numerous training opportunities, including a lending library of training DVD's thru Cornell, that the highway could take advantage of. He asked that the board take this into consideration.

**NEED FOR
PROJECTOR**

At this point, Supervisor Miller welcomed Assemblyman Robert Oaks. He said he was in the building for a meeting and simply wanted to "say hello".

**VISIT FROM
ASSEMBLYMAN
ROBERT OAKS**

After Assemblyman Oaks' quick visit, Supervisor Miller asked Councilman Pipitone to check into the purchase of a projector, find which one might be most appropriate, and report back to the board at the next meeting.

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

1. Town Hall Items: The painting in the clerk's office is complete, and Councilman Pipitone also commented that it looked very professional.

**TOWN HALL
PAINTING
PROJECTS**

**COMPREHENSIVE
PLAN FOLLOW-UP**

2. **Comprehensive Plan Follow -up:** Councilman Pipitone stated that given the discussion with Diana Smith at the last meeting, and what the costs might be for a new Comprehensive plan, he thought that we should focus more with an update of the plan. He asked if that was something the board thought he should move forward with. Supervisor Miller recommended contacting Dave Doyle from the MRB Group, and see what we are talking about cost wise. Councilman Pipitone thought it was a good idea to include the village and school in this update. The Comprehensive Plan was made available to the board in PDF form prior to the meeting.

Government Operations—Assessor, Youth & Aging, Code Enforcement, Fire Protection Contracts: David Nussbaumer, Chairman, was absent. Supervisor Miller shared the following information:

**ASSESSOR'S
OFFICE REPORT
FOR JUNE**

1. **Assessor's Office Report for June:** Assessor Elaine Herman submitted the following report.

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
JUNE 26, 2014**

Grievance Day was very light this year, as it was not an update year although they did have to meet on a second night as I did not get the grievance forms from Willow Landing apartments on Division Street until the Friday before grievance. By law I can call another meeting if I receive any forms less than four days before grievance day so I have time to do my defense. In this case, I needed more time than the couple of hours that was left in the work day. Bamberger filed forms for all twenty of their properties to maintain their Article 7 lawsuit. Lor-Co did not file a grievance form as they should have. I have sent that information to the attorney representing us and he is going to contact them and see what their intentions are at this point of time. I will keep you informed as I get more information.

The final roll will be ready to file with the Town Clerk July 1st. It is all ready printed by the County and ready for me to pick it up and sign it.

We are now getting ready to start next year's assessment roll and await the end of July to see if any small claims petitions are filed at the County by anyone who appeared at grievance and was not satisfied with the decision of the BAR. I am anticipating that there will be at least one property owner who will go on to this next step of the process.

**CODE/ZONING
OFFICE REPORT**

2. **Code Enforcement/Zoning Office Report- June:** Code Enforcement Officer Dan Wooden submitted a report to the Board Members including a list of building permits and certificates of compliance for Jan. 1 through June 25, 2014.

- 3. **Minutes from Zoning Board Meeting on June 12, 2014:** The minutes were shared with the board this evening.
- 4. **Planning Board Meeting in June:** There was no meeting of the Planning Board in the month of June 2014.

**ZONING BOARD
MEETING
MINUTES**

**NO PLANNING
BRD. MEETING**

INFORMATIONAL ITEMS

- 1. **Wayne County Sherriff's Office:** There was a promotion of Deputy George Lorenz at the Wayne County Sherriff's office to the rank of Sergeant. Supervisor Miller also wanted the board members to know that Tom Baker, previously from the Sherriff's office, has joined the Palmyra Police Department as Sergeant.

**SHERRIFF'S
REPORT**

- 2. **Public Input #1:** Mr. Ronald Fannon, residing in Canal Side Estates, approached the board with two questions. Mr. Fannon explained that he resides where there is a unique situation: they rent the land where they live, but they own their homes. He was trying to understand why it was set up that way, and if it was like that elsewhere in Wayne County. Supervisor Miller told him that he would have the Assessor answer that question for him if she had that information from many years ago. Mr. Fannon's second question was at what point capital expenditures are required to go before the board for a vote. Supervisor Miller told Mr. Fannon that the Town Clerk would be happy to supply him with the purchasing policy.

**PUBLIC INPUT-
MR. RONALD
FANNON**

Public Input #2: Mr. Marc Carrier, residing on Garnsey Rd., wanted it noted in the minutes that he was concerned with the way the letter and report from the DEC was presented at this evenings meeting considering the fact that he has waited over a year for this report.

**PUBLIC INPUT-
MR. MARC
CARRIER**

The town report received by the DEC reflected no "landfill related impacts", and that "regarding the older fill area on the east side of the road, given the old age of the waste and the intervening road among other things, it is very unlikely that any significant migration of landfill gas from the area is occurring".

Discussion ensued.

Mr. Carrier also wanted it noted that Officer Amann's report also mis-noted his south directional, making many of his notes incorrect.

Mr. Carrier also questioned if any minutes were taken during “executive sessions”, or if any decisions were made. Supervisor Miller explained that “executive session” was called for very specific reasons, and no minutes or votes are taken during session. Supervisor Miller asked that this topic of this inspection report be put on agenda for next month’s meeting.

AGENDA ITEMS

MTN: APPROVE
LETTER OF
THANKS TO R.
COPENHAGEN FOR
FLAG DONATION

1. **Approve: Letter thanking Robert Copenhagen for donating Flags to the Town Hall and Highway Department:** Todd Pipitone made the motion to approve a letter thanking Robert Copenhagen for a donation of US Flags for the Town Hall and Highway Department.

Second: Mike Lambrix Vote: 3 Ayes. Carried.

MTN: TABLE
RESOLUTION
#12-2014
KOEBERLE FARM
APPLICATION

2. **TABLE Resolution #12-2014: “EW Koeberle Sons” Application for Farmland Protection:** Mike Lambrix made the motion to table this resolution until the next meeting, giving the board more time to review application and e-mail Ora Rothfuss with any additional questions.

Second: Todd Pipitone Vote: 3 Ayes. Carried.

MTN: APPROVE
OLD TYPEWRITER
AS SURPLUS

3. **Approve: Old Typewriter in Town Clerk’s Office as Surplus:** Mike Lambrix made the motion to approve the old typewriter in the Town Clerk’s office as surplus.

Second: Jim Welch Vote: 3 Ayes. Carried.

MTN: APPROVE
RESOLUTION
#11-2014
AUTH. TC TO SELL
E-Z PASS

- 4 **Resolution #11-2014: Authorizing the Town Clerk Office to Sell E-Z Pass on the Go in the Town of Palmyra’s Town Clerk Office:** Mike Lambrix made the motion to allow the Town Clerk’s Office to sell E-Z Pass on the Go. He also noted the Town Clerk will be able to choose the initial number purchased from the Town of Williamson.

Second: Todd Pipitone Vote: 3 Ayes. Carried.

5. **Approve: Supervisor to Sign Excavation Permit for NYSEG on Division Street:** Todd Pipitone made the motion to allow the Supervisor to sign the Excavation Permit from NYSEG for Division Street

MTN: APPROVE SUPERVISOR TO SIGN NYSEG EXCAVATION PERMIT

Second: Mike Lambrix Vote: 3 Ayes. Carried

6. **Approve: Purchase of Adobe XI:** Todd Pipitone made the motion for the town to purchase Adobe XI, not to exceed \$300.00.

MTN: APPROVE PURCHASE OF ADOBE XI

Second: Mike Lambrix Vote: 3 Ayes. Carried

7. **Claims and Expenditures:** Mike Lambrix made the motion to approve claims and expenditures in the June 2014 abstract, voucher #2862 thru #2968, totaling \$137,934.29.

MTN: APPROVE JUNE CLAIMS AND EXPENDITURES

Second: James Welch Vote: 3 Ayes. Carried

8. **Adjourn Meeting:** At 8:25 PM, Mike Lambrix made the motion to adjourn the meeting.

MTN: ADJOURN MEETING

Second: Jim Welch Vote: 3 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

ATTACHMENT A: DEC INSPECTION REPORT – GARNSEY ROAD

NEXT MEETING
Thursday JULY 24, 2014, 7:00 PM
PALMYRA TOWN HALL