

PUBLIC HEARING

**PALMYRA TOWN HALL
SEPTEMBER 28, 2006**

The Public Hearing scheduled for Thursday, September 28, 2006 at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, to consider the agreements with the Palmyra Fire Department, East Palmyra Fire Department and Port Gibson Fire Department for the years 2007-2008 was called to order at 7:30 p.m. by Town Supervisor David Lyon. The following legal notice for the public hearing had been previously posted and published, and was read by Town Clerk Lynne Green at the hearing:

**PUBLIC
HEARING
CALL TO ORDER**

LEGAL NOTICE

**TOWN OF PALMYRA
PUBLIC HEARING**

**VILLAGE OF PALMYRA FIRE PROTECTION DISTRICT
EAST PALMYRA FIRE PROTECTION DISTRICT
PORT GIBSON FIRE PROTECTION DISTRICT**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Palmyra, Wayne County, will meet at the Palmyra Town Hall, 1180 Canandaigua Rd., Palmyra, New York, on the 28th day of September, 2006 at 7:30 PM for the purpose of considering contracts proposed by said Town Board to be entered into with the Village of Palmyra, the Port Gibson Fire Department and the East Palmyra Fire Department, for the furnishing of fire protection to said Town, at which time and place the Town Board will consider such proposed contracts and all persons interested in same.

LEGAL NOTICE

The Town Board will, at said time and place, hear all persons in favor of, or against, an increase in said contracts. Interested persons may be heard in person, by attorney or agent, or in writing.

Dated: Palmyra, NY
August 24, 2006

By Order of the Town Board of the Town of Palmyra, NY

In attendance at the hearing were the following town board members:

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

Also present at this hearing:

**ATTENDANCE AT
PUBLIC HEARING**

| | |
|--|----------------------------------|
| Michael Boesel | Palmyra Highway Superintendent |
| Bob Grier | Palmyra Code Enforcement Officer |
| Todd Pipitone | <i>Courier-Journal</i> reporter |
| Roy C. Wilck, John Rush, James Milliman, Neil Gates, Mark Palmer and Scott Gonyeo | |

Supervisor Lyon asked if there was anyone in attendance who wished to comment on the Palmyra Fire Department contract. Mark Palmer, Palmyra Village Trustee responsible for the Palmyra Fire Department, made no comment. Hearing no one on behalf of the fire department, the Supervisor declared that part of the hearing closed. He then asked if anyone wished to comment on the Port Gibson Fire Department contract. Again, there was no comment. Supervisor Lyon declared that part of the hearing closed. He asked if anyone wished to comment on the East Palmyra Fire Department contract. Neil Gates, President of the EPFD stood up and read the following prepared message:

“To the members of the Palmyra Town Board

“As President of the East Palmyra Fire Department, I would ask for your consideration and approval of the proposed 2-year contract with the fire department. The funding that we receive from the contract provides a substantial portion of our operating budget with fund raising efforts and donations providing the rest.

“The membership is asking for this increase because our operating costs have been rising mainly due to the increase of fuel costs for the trucks, utilities and insurance.

“As individuals, we are dealing with the very same increases in our homes. Therefore, we understand why monetary donations have been on the decline. We also have seen an increase in the cost of supplies for our Chicken BBQ and Turkey Party fundraisers, which eventually reduces the overall profit that we realize from our efforts.

“In summary, I would ask for your support in approving this contract so that we can continue to provide the residents and surrounding communities the best possible emergency services that we can for their tax dollars.”

**PUBLIC HEARING
CLOSED**

After Neil Gates sat down, Supervisor Lyon asked if there were any others who wished to speak. Hearing none, he declared the public hearing closed at 7:37 p.m.

REGULAR TOWN BOARD MEETING

CALL TO ORDER

At 7:38 p.m., Supervisor Lyon called to order the regular town board meeting, scheduled to be held on Thursday, September 28, 2006, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY.

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
- Michael Lambrix, Councilman
- David Nussbaumer, Councilman
- Kenneth Miller, Councilman

ROLL CALL

Motion was made by Dave Nussbaumer to approve the minutes of the August 24, 2006 meeting of the Town Board.

MTN: APPRV MINUTES OF 8/24/2006 MEETING

Second: Mike Lambrix

Vote: 5 ayes. Carried.

COMMUNICATIONS

1. Free Seminars Available: The New York Municipal Insurance Reciprocal (NYMIR) is presenting two free seminars to NYMIR subscribers: "Preparing for an EPA Environmental Inspection/Assessment" and "Risk Transfer Methods for Municipalities." Town Board members are welcome to attend. RSVP details are listed on the announcement.
2. Letter from Power Personnel: Notice was received from Power Personnel saying they would not be renewing their lease at its expiration date of September 30, 2006. They have outgrown their office space and have found other office space on East Main Street in Palmyra.
3. Notice of Upcoming Event: A "Save the Date" note was addressed to town board members asking them to support the ViaHealth of Wayne Hospital Foundation by attending a fundraising gala "Tartans and Thistles" on November 18th.

FREE SEMINARS AVAILABLE TO TOWN BOARD

POWER PERSONNEL NOTICE TO DISCONTINUE LEASE AT TOWN HALL

NOTICE OF UPCOMING EVENT

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Ken Miller, Chairman

Ken Miller stated all Cintas bathroom dispensers have been installed. The heat and air conditioning is working in both the gym and large meeting room. Bob Grier helped Ken with the gutter, which was hanging from the roof at the back of Town Hall. It needs to be replaced so Ken brought two quotes with him: MIG (Monroe Insulation & Gutter out of East Rochester) at \$795, and Proctor Roofing-Contractors (out of Stanley) for \$800. Ken’s recommendation was to go with MIG, and he made the motion to have MIG put on back roof gutters not to exceed \$795.

MTN: CONTRACT WITH MIG TO REPLACE GUTTERS ON BACK ROOF OF TOWN HALL

Second: Dave Nussbaumer Vote: 5 ayes. Carried.

Highway Committee – Michael Lambrix, Chairman

Highway Department Monthly Report: Mike Boesel's report for September was presented to the town board:

Highway Superintendent Report
For
Town Board Meeting
9/28/2006

HIGHWAY DEPT. MONTHLY REPORT FOR SEPTEMBER

Since the 8/24/2006 meeting we have completed the following work:

- Coldmix Paving – Shilling Road and DeSmith Road with assistance from Town of Marion, Town of Lyons and Town of Arcadia
- Hauled sand for sand/salt barn to mix with 650 Ton of salt that was ordered in August
- Sign maintenance around entire Town for tree limbs/visibility
- Cracksealed Jeffery Road
- Assisted the Town of Macedon with hot mix paving
- Stone/Oiled (chipsealed) – Shilling, Goldsmith, Lusk, DeSmith, Hanley, Hogback with assistance from Town of Marion, Town of Lyons, and Town of Arcadia
- Installed new gravel shoulders on Shilling and DeSmith Roads
- Temporary repairs to Fagner Road washout along edge of pavement
- Swept loose stone from all chipsealed roads
- Brushmowing – Port Gibson Road, S. Creek, Vault, Galloway
- Wedging on Cornwall Road

Other miscellaneous items include:

- Sidewalk Project – Randy Schwartz installed a pipe extension on 9/8 near the front of the Town Hall. I have a UFPO stakeout called in to start excavation of topsoil and installation of the sub-base material. Sunshine Concrete will then install the stone base, form, pour and finish off the concrete work. I am in the process of gathering restoration quotes.
- Shop Hoist - ONSYR and OKAR have given me quotes for hoist repairs. I still need more time to review.
- WC Soil & Water Conservation – I applied for another \$5,000.00 Stormwater Management grant that was recently made available. We had already received a grant in this amount earlier this year. I hope to have more information next meeting on the grant submission.
- Shilling Road and DeSmith Road projects are wrapping up. Re-paving of driveway aprons and some minor lawn restoration is all that remains.
- Employee Reports –
 - Tom Fraser – returned to work on Tuesday September 12th.
 - Jason Bliss – Started Tuesday September 12th
 - September 12, 2006 – first Full Crew day since April 5th.

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

There were no questions from board members. Mike Boesel added that his crew has been very busy the past month, taking advantage of the good days. He commented on the sign proposal which the board had approved the previous month. He learned at Highway Conference that the state will most likely adopt the federal standards for signage, making things consistent. He concluded by saying that the sidewalk project on Route 21 from the village line to the Town Hall will be starting soon.

Planning Committee – James Welch, Chairman

Jim Welch didn't have a report, but several issues were discussed. The old trailer on Division Street has been removed and replaced with the new one that the board had approved. The neighbors are happy.

Bob Grier reported the construction at the Garlock Sealing Technologies plant is progressing nicely. The big building is almost enclosed.

**UPDATE ON
DIVISION ST.,
GARLOCK
CONSTRUC-
TION**

Zoning Committee – David Nussbaumer, Chairman

**CODE/ZONING
OFFICE
SEPTEMBER
REPORT**

- 1. Code Enforcement/Zoning Office September Report: Zoning and Code Enforcement Officer Bob Grier submitted a report showing Permit activity during the previous month.

**DISCUSSION TO
REPLACE CEO
VEHICLE**

- 2. Replace CEO Vehicle: Grier commented on a replacement for the current CEO vehicle. In the projected budget for 2007, the board approved leasing a vehicle up to \$2400/year. However, the 2007 vehicle contracts won't be out for several months and he expects there to be an increase. He has checked into purchasing versus leasing. Chris Piccola, Palmyra village trustee said he'd check with the mayor to see what is planned in the village budget for next year. Grier will bring that information back to the board. Supervisor Lyon noted the bad timing of state bid items affects the county as well. The bids come out too late to take advantage of opportunities in the changeover to new model year cars. Grier wanted to compare warranties and asked if it would be okay to proceed. Dave Lyon suggested he get prices and bring them back to the board for review.

**SW QUADRANT
SEWER
PROJECT
UPDATE**

- 3. Sewer Project Update: Supervisor Lyon said the town will hopefully get easements soon for the Southwest Quadrant Sewer project. With these easements, municipal sewer service would be offered to residents on Rolfe Street, Bear Hill Drive and Crestwood Avenue.

INFORMATIONAL ITEMS

**ASSESSOR'S
REPORT FOR
SEPTEMBER**

- 1. Assessor's Report for September: Palmyra Assessor Elaine Herman recapped activity in her office during September. She plans to attend a special class which is part of her annual training courses put on by the state. She recommended that her assistant, Joan Gates, be approved to attend the one-day training also, at a cost of \$110. She has STAR funds available, if needed, to pay for this.

**TOWN CLERK'S
OFFICE REPORT
FOR
SEPTEMBER**

- 2. Town Clerk's Report for September: Activity in the Town Clerk's office picked up significantly during September, with clerks handling school tax issues at the counter and on the phone, inputting tax payments and issuing paid receipts, as well as being the busiest month for issuing hunting licenses, and receiving water payments, in addition to the regular work in the office. Irene Unterborn and Celeste Finewood came in to help with the heavy load.

3. Going Out of Business Sale: The town issues permits to conduct a Going Out of Business sale and, as an item of information, a permit was issued in September to Innovative Fence Systems LLC. **GOING OUT OF BUSINESS SALE**
4. Initial correspondence for proposed Canandaigua Rd. sewer project: In several previous board meetings, after the town board discussed the idea of extending the sewer line from the Palmyra Animal Hospital south to service Canandaigua Road residents, engineers for the town made a preliminary study estimating cost of the project and impact on residents. Dave Lyon sent out a letter this month with that information and a survey to assess interest in such a project. **LETTER AND SURVEY SENT TO RESIDENTS OF CANANDAIGUA RD. FOR PROPOSED SEWER SERVICE**

AGENDA ITEMS

1. Agreements with Fire Departments: Comments made during tonight's public hearing will be considered when the board makes a recommendation to approve new fire department agreements. No motion was made at this time. **NO ACTION ON FIRE DEPT. CONTRACTS**
2. Septic Disposal Annual Permits: Applications were received from East's A-1 Septic Tank Service & Excavating, Inc. and Gene East Septic Tank Service for town board approval of Permits for Disposal of Human Waste. DEC permits were provided with each application, letting the board know that these haulers are in compliance with DEC codes. The new permits would run from September 1, 2006 through August 31, 2007. Mike Lambrix made the motion to approve Septic Sewage and Sludge Permits for East's A-1 Septic Tank Service and Excavating Inc., as well as for Gene East Septic Tank Service. **MTN: APPROVE SEPTIC SEWAGE & SLUDGE PERMITS**
- Second: Dave Nussbaumer Vote: 5 ayes. Carried.
3. Cable Service to Cambier, Hydesville and Fagner Roads: Request was received from Time Warner Cable asking for board approval to provide cable service for Cambier, Hydesville and Fagner Roads from the Town of Marion. "In order to proceed with this project, it is necessary that we obtain permission from the Town of Palmyra to provide the cable service feed from the Town of Marion." Mike Lambrix made the motion to approve this cable service from Marion. **MTN: APPROVE CABLE SERVICE FROM TOWN OF MARION**
- Second: Jim Welch Vote: 5 ayes. Carried.

**MTN:
SCHEDULE
PUBLIC
HEARING FOR
VAN-JAC C&C
COAL STOVES
SALES**

- 4. Schedule Public Hearing for Special Use Authorization: A Building and Zoning Application was given to board members from Andrea and Randy Jacobs requesting permission to operate a home business (Van-Jac C & C) selling coal stoves. Mike Lambrix made the motion to schedule the public hearing on Thursday, October 26, 2006, at 7:30 p.m. at the East Palmyra Fire Hall.

Second: Jim Welch

Vote: 5 ayes. Carried.

**MTN: APPROVE
TENTATIVE 2007
TOWN BUDGET**

- 5. 2007 Tentative Budget Presented to Town Board: Town Clerk, Lynne Green, presented board members the 2007 Tentative Town Budget. Dave Nussbaumer made the motion to accept the Tentative Budget for 2007.

Second: Ken Miller

Vote: 5 ayes. Carried.

After the board's approval, the Tentative Budget becomes the Preliminary Budget.

**MTN:
SCHEDULE
PUBLIC
HEARING FOR
2007 BUDGET**

- 6. Schedule Public Hearing for 2007 Preliminary Budget: Mike Lambrix made the motion to hold the public hearing for the 2007 Preliminary Town Budget on Thursday, November 9, 2006, at 7:30 p.m. in the Palmyra Town Hall.

Second: Ken Miller

Vote: 5 ayes. Carried.

**MTN: DECLARE
ITEMS AS
SURPLUS**

- 7. Declare items as surplus: A Surplus Inventory List was compiled of items no longer being used in town offices. They are computer and electronic equipment, along with a large workstation/reception desk. Dave Lyon said the town would contact a computer dealer to sell or otherwise dispose of the electronic items. Dave Nussbaumer made the motion to declare the items on the list as surplus.

Second: Ken Miller

Vote: 5 ayes. Carried.

**MTN: APPROVE
JOAN GATES'
ATTENDANCE
AT
CONFERENCE**

- 8. Request for Joan Gates to attend Assessors' class: Motion was made by Dave Nussbaumer to approve Joan Gates' attendance at a one-day special class concerning assessors' issues, with a cost not to exceed \$110.

Second: Mike Lambrix

Vote: 5 ayes. Carried.

9. North Creek Mini Storage: During the month of September, Scott Gonyeo signed the temporary Special Use Authorization Statement of Conditions for the North Creek Mini Storage units he hopes to purchase. The town offices received the DEC's Short Environmental Assessment Form, which Mr. Gonyeo had completed, showing no significant adverse environmental impact. Mike Lambrix made the motion to accept the Negative Declaration for the facility.

**MTN: ACCEPT
NEGATIVE DEC
ON MINI-
STORAGE
FACILITY**

Second: Dave Nussbaumer Vote: 5 ayes. Carried.

During September, Code Enforcement Officer Bob Grier went to the site and inspected for code compliance. He issued Certificate of Compliance No. C 06-174, certifying the property is in "substantial conformance" with local codes. Since Gonyeo was at the town board meeting, he asked if his temporary Special Use Permit could be changed to a permanent one. These approved forms showed that any former issues were now in compliance. After brief discussion, Mike Lambrix made the motion to have the temporary permit changed to a permanent one.

**MTN: CHANGE
TEMPORARY
SPECIAL USE
PERMIT FOR
MINI-STORAGE
FACILITY TO
PERMANENT**

Second: Ken Miller Vote: 5 ayes. Carried.

10. Approve Abstract #112 (for vouchers already paid) & Abstract #113 (for vouchers to be paid): Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #112, which includes Vouchers 7489 through 7494, for \$18,022.89; and Abstract #113, which includes Vouchers 7495 through 7568, for \$118,875.92.

**MTN: APPROVE
ABSTRACTS
#112 AND #113**

Second: Ken Miller Vote: 5 ayes. Carried.

11. Adjournment: Mike Lambrix made the motion to adjourn at 8:03 p.m.

**MTN: ADJOURN
MEETING**

Second: Ken Miller Vote: 5 ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

**Next town board meeting: Thursday, October 26, 2006, at 7:30 p.m.
East Palmyra Fire Hall**