

**REGULAR MEETING OF THE TOWN BOARD
APRIL 26, 2007**

At 7:30 p.m., Supervisor Lyon called to order the regular town board meeting, scheduled to be held on Thursday, April 26, 2007, at the East Palmyra Fire Hall, Tellier Road, East 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:

- Todd Pipitone Michael Boesel Roy Wilck
- Bob Grier Harry Wilkins

MEETING ATTENDANCE

Motion was made by Dave Nussbaumer to approve the minutes of the March 22, 2007 meeting of the Town Board.

**MTN: APPRV
3/22/2007 TOWN
BOARD MTG
MINUTES**

Second: Jim Welch Vote: 4 ayes. Carried.
Mike Lambrix abstained since he wasn't at the meeting.

COMMUNICATIONS

1. Wayne County Fair Participation Letter: Letter was received from Dave McGuire of the Union Agricultural Society at Palmyra asking Town Board members if they wish to participate in the Wayne County Fair Parade on August 17. Consensus of the board was that they would be interested. Lynne Green to notify Dave McGuire of their intent.

2. NY State Canal Corporation Canal Update: The director of the New York State Canal Corporation, Carmella R. Mantello, sent the town a letter notifying us that tolls on the Erie Canal will not be charged to the boaters for a second year.

**SW QUADRANT
SEWER
PROJECT
CORRES-
PONDENCE**

**NO TOLLS ON
ERIE CANAL TO
BOATERS THIS
YEAR**

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Kenneth Miller, Chairman

BUILDING AND GROUNDS REPORT

Ken Miller reported that he is in the process of receiving bids from plumbing and heating companies to replace the building furnaces. The two offices formerly leased by Power Personnel have been repainted, the windows washed, the curtains cleaned, and carpets shampooed. They are ready to be leased. Mike Boesel's crew was at Town Hall, replacing the American and POW flags which had become torn in recent stormy, windy and icy weather. His crew also used town equipment to roll the lawn where the snow had been piled up and plows had cut into the lawn. With the warm Spring weather, the lawn is ready to mow.

Town Clerk Lynne Green was asked to thank Congressman Jim Walsh in writing for the donation of the American flag. The Palmyra American Legion provided the new POW flag. During the week previous to the town board meeting, the flags flew at half-staff in remembrance of the people killed in the Virginia Tech massacre.

New trees, planted in front of town hall last year, appear to be alive and blossoming this Spring. Ken Miller and the highway crew will be working together again to make sure they make it through the Summer.

Highway Committee – James Welch, Chairman

Highway Department Monthly Report: In his report for April, Highway Superintendent Mike Boesel outlined projects his crew has worked on since the last town board meeting:

Highway Superintendent Report
For
Town Board Meeting
4/26/2007

HIGHWAY MONTHLY REPORT

Since the 3/22/2007 meeting we have completed the following work:

- Annual Equipment service to several pieces of equipment
- Patched potholes
- Ditching on Walker Road
- Snow fence removed and plows/sanders put away for season

- Salt – Ordered 300 tons
- Plowing/Sanding runs on 3 of the past 34 days and a total of 119 trips out of the barn this winter season. Last year at this time we were up to 90 trips.

Other miscellaneous items include:

- Fagner Road Project – I stopped at the DEC yesterday to inquire the status of the permit. I already received a provisional permit from the ACOE dependent on DEC approval. DEC wanted me to fax a copy of the ACOE permit and didn't allude to anything that might hold up this permit. Hopefully we will be receiving it soon.
- New 10-Wheel Truck – The dump body and plow equipment for the new Mack 10-wheel dump truck was put together by Tenco USA in Avon and is completed. Beam Mack now has the truck and is performing a final review. We should have the truck in the next few weeks.
- CHIPs funding increase – our annual Advocacy Day this past March 6-7th was another success for all municipalities across NYS as we all experienced a slight increase in CHIPs funding, our primary goal. The Town of Palmyra will see an increase of \$625.00. This is good considering we were all scheduled for a decrease from last year.
- NYSDOT sweeping – We have been sweeping again this year for the NYS DOT this past week, which should be completed by tomorrow.
- Road sweeping/Snowplow-yard damage – With the late snow events we are continuing to sweep sand from the roads and will be out repairing lawns from snow plow damage as well.
- Sign Inventory – Lu Engineers has completed the sign inventory and evaluation. On Tuesday of this week a hard copy binder was delivered to me of our sign inventory. Overall Lu Engineers was impressed with the excellent condition of our signs/sign posts.
- Palmyra Municipal Auction – May 12th. We have been cleaning and preparing for the event over the past few days. We expect another big auction, particularly truck sales.
- Drainage Issues – We have had our share of drainage issues this past Spring already. Supv. Lyon and I visited many of our recent drainage areas on March 27th, meeting with property owners when available.

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

**TOWN SIGN
INVENTORY
REPORT**

Mike brought with him the sign inventory report, which he received recently from Lu Engineers. He passed around a large map of the town showing where each sign is placed. Some signs are slated for immediate replacement, and advanced distance corrections. The Highway Department will take care of the signs, doing priority items first. The inventory report shows that Palmyra's signs "are in good shape."

**SPRING
DRAINAGE
ISSUES**

Mike also addressed drainage issues around the town, with Dave Lyon and Jim Welch riding with him to certain areas to see how town roads have been affected.

**Planning & Economic Development Committee – Mike Lambrix,
Chairman**

Mike Lambrix had no report at this time.

Zoning Committee – David Nussbaumer, Chairman

**CEO REPORT
FOR APRIL**

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

**KEVIN CARRIER
JUNKYARD
UPDATE--COURT
APPEALS
EXHAUSTED**

After board members looked through the report, Bob announced the good news that Kevin Carrier has exhausted all appeals in New York State for having a junk yard on Trolley Road. The higher courts, including the State Court of Appeals, backed the Wayne County Court in citing Carrier for failure to clean up the property.

**DIBERT IN
COURT MAY 8**

In other court action, John Dibert, of North Creek Road, is scheduled to be back in local court on May 8th.

INFORMATIONAL ITEMS

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

1. Town Clerk's Office Report: April saw the balancing of town and county tax information with the Wayne County Treasurer's office. Celeste attended a seminar on Advanced Excel software, and Irene is now updating the inventory of equipment and furniture in all town offices.

- 2. Assessor's Report for April: Tentative Roll for 2007 ready to be filed with Town Clerk. Grievance Day is May 22. The Pictometry program has been installed and appears to be working out fine. Outbuildings previously hidden on some properties are now visible, and can be measured from the desktop image. Bob Grier's office is also able to access the information from the Pictometry program to help him in his job.

**ASSESSOR'S
OFFICE REPORT
FOR APRIL**

- 3. Gift of book to the Town Historian: The Palmyra King's Daughters Free Library has presented the book "Landmarks of Wayne County, New York" as a gift to the town Historian, Beth Hoad. Beth has sent the library a letter of thanks for this book.

**GIFT OF BOOK
FOR HISTORIAN:
"LANDMARKS
OF WAYNE
COUNTY, NEW
YORK"**

AGENDA ITEMS

- 1. Local Law No. 1 for 2007: Concerning the new Zoning Code --known as Local Law #1 for 2007---board members commended Bob Grier and the Stuart I. Brown Associates for the good job of putting it all together. A copy of the "Final Draft: March 2007" had been distributed to each town board member as prescribed by law. This "Final Draft" includes all changes proposed in various meetings and hearings, and is presented to the board tonight for approval, and for sending as Local Law No. 1 for 2007 to the Department of State.

**MTN: APPROVE
LOCAL LAW #1
FOR 2007: NEW
ZONING CODE**

Mike Lambrix made the motion to approve Local Law No. 1 for 2007 "A Local Law Enacting a New Town of Palmyra Zoning Law"--which is titled "Zoning Regulations: Town of Palmyra, Final Draft--March 2007."

Second: Dave Nussbaumer Vote: 5 ayes. Carried.

- 2. Appoint Assessor to 6-year term: Elaine Herman's 6-year appointment as Sole Assessor ends on September 30, 2007. It is the town board's wish that she continue in that position, and Mike Lambrix made the motion to approve her appointment for another six years--to begin October 1, 2007 and to end September 30, 2013.

**MTN: APPOINT
ELAINE HERMAN
AS SOLE
ASSESSOR FOR
TOWN THROUGH
9/30/2013**

Second: Dave Nussbaumer Vote: 5 ayes. Carried.

**MTN: APPROVE
MOWING
CONTRACT WITH
WAYNE CO.
HIGHWAY DEPT.
THRU 3/31/2008**

- 3. Approve Mowing Contract for Highway Department: Mike Boesel presented an agreement between the Wayne County Highway Department and the Town of Palmyra for mowing on county roads beginning April 1, 2007 and ending March 31, 2008. Jim Welch made the motion to approve the contract.

Second: Mike Lambrix Vote: 5 ayes. Carried.

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

**MTN: APPROVE
ATTENDANCE
AT HIGHWAY
SCHOOL**

- 4. Approve Attendance at Highway School: The 62nd Annual Highway School is scheduled for June 4 - 6, 2007. Mike Boesel asked for board approval for him to attend. Jim Welch made the motion to approve Mike's attendance at Highway School, not to exceed \$85 registration fee.

Second: Mike Lambrix Vote: 5 ayes. Carried.

- 5. Approve Items as Surplus: The following items have been declared as surplus, and should be included in the municipal auction on May 12:

- 1994 Ford tandem axle dump truck
- 2006 S220 Bobcat skidsteer loader
- (2) computers w/monitors, keyboard, mouse, etc.
- (1) band saw
- (1) arc welder
- (1) box of slack adjusters for trucks
- (1) power washer
- (1) commercial grade, fire retardant range hood

**MTN: APPROVE
SURPLUS ITEMS
TO BE
INCLUDED IN
MUNICIPAL
AUCTION**

Dave Nussbaumer made the motion to approve these surplus items to be included in the municipal auction.

Second: Mike Lambrix Vote: 5 ayes. Carried.

- 6. Approve Equipment Purchase for Assessor's Office: Assessor Elaine Herman requested the purchase of a duplex color laser printer, along with a digital camera and memory card. She provided quotes for these items, with the notation that she has sufficient funds in her STAR money to cover the purchase. Dave Nussbaumer made the motion to approve the purchase of a Lexmark C530dn duplex color laser printer at a cost not to exceed \$499.99 plus shipping and handling, and a Kodak

**MTN: APPROVE
PURCHASE OF
COLOR LASER
PRINTER AND
DIGITAL
CAMERA FOR
ASSESSOR**

EasyShare Z612 Digital Camera with SanDisk 1GB SD Card totaling \$259.96 plus shipping and handling, to be paid from her STAR funds.

Second: Mike Lambrix Vote: 5 ayes. Carried.

- 7. Water District Update and Authorization: Supervisor Lyon commented on the proposed Johnson-Floodman Water District, which also includes parts of East Palmyra-Port Gibson, Parker, South Townline and South Creek Roads. The latest survey shows a "majority of people on water district roads are in favor" of the proposed water project. He added that the next step in the process is for Town Engineers, MRB Group, to prepare a map plan and report. Ken Miller made the motion to authorize MRB to prepare a map plan and report for the Johnson-Floodman Water Project.

**MTN:
AUTHORIZE
ENGINEERS TO
PREPARE MAP
PLAN & REPORT
FOR JOHNSON-
FLOODMAN
WATER
DISTRICT**

Second: Mike Lambrix Vote: 5 ayes. Carried.

The Town Clerk was directed to send out letters to residents of the district to inform them that work is progressing.

- 8. Approve Contract with WATS Bus: In order to accommodate the many people who will be attending the municipal auction on Saturday, May 12, it is necessary to offer nearby parking space. Garlock Sealing Technologies has offered the use of their parking lot through the back entrance for auction customers. It was necessary to enter into a "Public Transit Route Subsidy Agreement" with Wayne Area Transportation Service (WATS) for a shuttle bus on the day of the auction from the Garlock parking area to the auction area. This one-day agreement would be signed by Mark Aesch, Chief Executive Officer of WATS and Michael Boesel, Palmyra Highway Superintendent. Jim Welch made the motion to approve the one-day contract with WATS for a shuttle bus.

**MTN: APPROVE
SHUTTLE BUS
FROM GARLOCK
TO HIGHWAY
BARNES DURING
AUCTION**

Second: Mike Lambrix Vote 5 ayes. Carried.

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

**MTN: ACCEPT
HISTORIC BOOK
AS GIFT FROM
PALMYRA
LIBRARY**

- 9. Gift of Book to Town from King's Daughters Library: Jim Welch made the motion to formally accept the gift of the book Landmarks of Wayne County, New York from the Palmyra King's Daughters Library.

Second: Ken Miller

Vote: 5 ayes. Carried.

**MTN: APPROVE
ABSTRACTS
#124 AND #125**

- 10. Approve Abstracts #124 and #125: Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #124 (for vouchers already paid), which includes Voucher Numbers 8086 through 8093, for \$70,027.50; and Abstract #125, (for vouchers to be paid) which includes Voucher Numbers 8094 through 8189 for \$49,718.91.

Second: Mike Lambrix

Vote: 5 ayes. Carried.

Dave Lyon asked if there was anything else to be brought before the board. Mike Lambrix noted he had called Jim Brady, Superintendent at the Wayne County Highway Department, about a log-jam underneath the Hogback Hill Road bridge behind his home. In addition to creating the potential for flooding, Mike was concerned it could weaken the bridge. Mike Boesel added he, too, has talked with Brady about it. Brady said he'd have someone look at it.

**MTN: ADJOURN
MEETING**

- 11. Motion to Adjourn: At 7:58 p.m., Dave Nussbaumer made the motion to adjourn the meeting.

Second: Mike Lambrix

Vote: 5 ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

- Attachment A: Mowing Contract between Town of Palmyra and Wayne County
- Attachment B: Public Transit Route Subsidy Agreement with Wayne Area Transportation Service (WATS)

**NEXT MEETING: THURSDAY, JUNE 28, 2007, AT 7:30 P.M.
PALMYRA TOWN HALL**