

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
January 27, 2011**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, January 27, 2011, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York. **CALL TO ORDER**

Supervisor Miller led those present in the Pledge of Allegiance to the Flag. **PLEDGE TO THE FLAG**

Upon roll call, the following board members were present:

Kenneth F. Miller, Supervisor
David Nussbaumer, Councilman
James Welch, Councilman
Todd Pipitone, Councilman
Mike Lambrix, Councilman was excused

ROLL CALL

The following were also in attendance at this meeting: Jonathon Chapman, Billie Rae Walker, Highway Superintendent Mike Boesel, and Code Enforcement Officer Dan Wooden.

MEETING ATTENDANCE

Motion was made by Dave Nussbaumer to approve the minutes of the December 21, 2010 and January 6, 2011 meetings of the Town Board.

MOTION TO APPROVE MINUTES FROM 12/21/2010 & 1/6/2011

Second: Jim Welch

Vote: 4 Ayes. Carried

COMMUNICATIONS

1. **Wayne County Sheriff's Office Reports:** Reports from the Wayne County Sheriff's office included a list of Tickets by Town for January through December 2010, Palmyra's Monthly Sheriff's report, and information about Palmyra Sheriff's Deputy Gil Sterk being promoted. Supervisor Miller noted that all 15 town reports were available upon request.

INFORMATION ABOUT WAYNE COUNTY SHERIFF'S OFFICE

REPORTS OF STANDING COMMITTEES**Economic Development, Appeals and Town Clerk's Office Committee – Todd Pipitone, Chairman****TOWN CLERK'S
OFFICE REPORT
FOR JANUARY**

1. **Town Clerk's Office Report for January:** Councilman Todd Pipitone suggested Board members read the report, and that Deputy Town Clerk Irene Unterborn could answer any questions. Handouts were given, including a list of Board Members, with terms as previously requested by Supervisor, and an updated index of Contracts and Agreements. There was a short discussion about new dog licensing and the large volume expected because of new licensing laws. Lastly, it was pointed out that new Town Clerk hours beginning on February 7th will be 9am-5pm. A sign has been posted by the Supervisor to inform the community.

Highway Committee- James Welch, Chairman

1. **January Highway Report:** Highway Superintendent Mike Boesel submitted the following report for December 21 to January 27:

Highway Superintendent Report
For
Town Board Meeting
01/27/11

Since the 12/21/10 meeting we have completed the following work:

**JANUARY
HIGHWAY
DEPARTMENT
REPORT**

- Plowing/Sanding –To date this winter season we have made a total of 74 trips out of the barn. A comparison to this point of the past 3 winter seasons is below:
 - January 2010 - 59 trips.
 - January 2009 - 78 trips.
 - January 2008 - 49 trips.

Other miscellaneous items include:

- **Salt Orders** – To date this winter season we have ordered 1530 tons of our 3500 ton allotment.

Energy Audit – On 1/4/11, we had a representative from Enerpath, who works for NYSEG and RG&E, perform an assessment of our lighting fixtures here at the Highway Department (and Town Hall). As a part of their Small Business Energy Efficiency Program, they will pay 70% of the cost of the upgrade to high efficiency fixtures.

- Copies of their assessment have been provided. Our estimated payback at the Highway Dept is 18 months.
- **Equipment** – Since the beginning of the year we have been on the road plow/sanding/salting roads all but 3 of our scheduled work days. We have been performing routine maintenance on all trucks and equipment in between all these trips out on the roads.
- **Frozen equipment** – During the weekend of 22nd – 24th was the coldest stretch of whether we have had this season. Our sand and salt material froze in the hoppers of all the trucks and had to be chiseled/shoveled out of each truck on Monday morning, 1/24/11, as we were trying to make our runs and be ready for more snow on 1/25. Trucks were started very early in order for them to warm up and get the hydraulic oil and engine oils flowing better. I would like to keep discussions open with the Board for a heated truck barn to be constructed here someday.
- **Training** – On 1/26/11, Mike Paul attended a free 1-hour presentation on the Emerald Ash Borer at the Cornell Cooperative Extension Office on Rt.88 in Newark.
- **Personnel** – Karen was out of work from December 10th to January 13th. She is now doing well but we are still trying to get caught up on time card entries and end-of-year reports.
- **CHIPs Funding** – The Governor's Budget was out early last year (Patterson's) and we knew then that he was holding our current funding levels. However, Governor Cuomo has not released his budget yet and we are holding hope that our CHIPs funding will still be at the same level as last year. This funding is critical to keeping our roads in good condition. We are gearing up for our annual Advocacy Day in Albany on March 9th.
- **New Computer** – On tonight's agenda I am asking for approval to purchase a new computer. A new computer was budgeted for \$1000.00 in the 2011 Town budget. I searched around and decided to purchase off of NYS OGS State Contract from Hewlett Packard. The computer priced out at \$619.00. It is an HP Compaq 6005 Pro Small Form Factor PC.
- **Palmyra Municipal Auction** – The date has been set for Saturday May 14, 2011. I have the Contract agreement on the agenda for approval. There are no significant changes.

**JANUARY
HIGHWAY
DEPARTMENT
REPORT**

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

Councilman Nussbaumer asked where we were in the budget for fuel, Mike stated that since we were only into the 27th day, it was hard to say, but we are getting a "tad better" rate with the school than with the state. He also remarked that December usually "makes or breaks" the highway budget.

**Facilities, Operations and Planning Committee
-Mike Lambrix, Chairman (absent)**

**MINUTES OF
1/10/2011
PLANNING
BOARD
MEETING**

Minutes of Planning Board Meeting: Supervisor Miller called attention to the minutes of the January 10th meeting of the Town Planning Board that were included in Board members' packets. He asked if anyone had any questions about it. No one did.

**Zoning and Assesor's Office Committee
- David Nussbaumer, Chairman**

**ASSESSOR'S
JANUARY
REPORT**

1. **Assessor's Report for January:** Board members received the Assessor's January report that notes the court ordered assessment of the Empire State Pipeline ended with the 2010 assessment. This ended with an increase of \$1,891,354. The office also received a list of property owners that were not eligible for STAR because their income was over \$500,000. Three of the owners have already contacted the assessor that the amounts were incorrect and proved that the state was wrong.

**JANUARY CEO
REPORT**

2. **Code Enforcement/Zoning Office Report:** January's CEO Report was distributed to Board members. Code Enforcement Officer, Dan Wooden stated that they were busy "cleaning up" violations from last year, both remote computers used by the CEOs were up and running (making things much easier), and that they had just finished painting and re-arranging the office.

INFORMATIONAL ITEMS

**PALMYRA
LIBRARY
UPDATE**

1. **Palmyra Community Library:** November minutes were handed out; there was no meeting in December. They will be available again on web site soon.

2. **NYSEG Small Business Energy Efficiency Program:** Handouts were distributed explaining payback from inspection. Supervisor Miller explained that we are expecting a 13-month payback at the Town Hall and an 18-month payback at the Highway buildings. He stated that "the big payback is for the taxpayers". (See *Attachment A*)
NYSEG SMALL BUSINESS ENERGY EFFICIENCY PROGRAM

3. **Reporting of Snowmobiling in Area to Troopers:** State Troopers were called regarding snowmobiling on Town property. Supervisor Miller received a call back from Trooper VanCamp presenting us with different options. The board was made aware of the difficulty enforcing trespassing if it is not posted. The board agreed this is probably an isolated incident, and that it would be inappropriate to hang such signs ("No Trespassing") on Town property.
SNOWMOBILING ON TOWN HALL PROPERTY

4. **Morrison Excavating Update Fourth Quarter 2010:** Removed 433 yards of Gravel from their Division Street gravel pit during the fourth quarter of 2010. They included an escrow payment of \$108.25 with their correspondence.
MORRISON EXCAVATING 4TH QUARTER 2010 REPORT

5. **Wayne County Law Enforcement Press Release:** Announcing that all Wayne County Law Enforcement will join together during the week of January 31 through February 6, 2011 with "Zero Tolerance" for vehicle and traffic violations that cause driver inattention and unsafe conditions. Violations will include, but not be limited to: *Driving While Using Cell Phones*.
WAYNE COUNTY ZERO TOLERANCE FOR INATTENTION WHILE DRIVING

6. **Communication from Stu Brown Regarding Rural Development Funds:** The NYS Office of Community Renewal released information for the NYS Community Development Block Grant Program, which may be helpful for our upcoming Route 31 sewer project. Supervisor Miller will be setting up a meeting with Dave Doyle, Stu Brown, Marty Aman, and Dave Lyon to discuss a possible application for \$600,000 used for Public Infrastructure. Supervisor Miller pointed out there is a lot of money needed initially for such things as environmental testing, and it would be nice to "pick their brains" to see what money is needed upfront. This project has been looked at for 3-4 years now, and it is felt that we should not let it go by the wayside.
RURAL DEVELOPMENT FUNDS IN BLOCK GRANT PROGRAM MAY HELP IN UPCOMING SEWER PROJECT

UPDATE FROM SUPERVISOR'S MEETING WITH ASSEMBLYMAN BOB OAKS

- 7. **Update from luncheon with NYS Assemblyman Bob Oaks:** Supervisor Miller attended a roundtable luncheon today with Assemblyman Bob Oaks and 5 other supervisors. There were two main points addressed. First was a question regarding CHIPS funding for the Highway departments, and it was pointed out that though the Governor's budget is due on Tuesday February 1st, they have until April to get it approved. It is the general consensus from the Highway Superintendents that they are simply hoping for what they were given previously. It is Bob Oaks' opinion that "no news is good news". The second point was a discussion regarding a meeting of NYCOM with the schools, mayors, supervisors, and assemblymen that took place in Phelps. They will be addressing Governor Cuomo and expressing their concern that without a reduction in state mandates, a cap on taxes would be devastating to New York State. Supervisor Miller has offered to share a handout if requested, and stated that "we in NYS need to share the message" of what a tax cap would really mean to us in New York State.

NO PUBLIC INPUT

- 8. **Public Input:** There was no public input.

AGENDA ITEMS

MTN: APPROVE MATCH TO SMALL BUSINESS ENERGY PROGRAM

- 1. **Approve 30% match for expenses to Small Business Energy Program:** David Nussbaumer made the motion to approve 30% match for expenses to Small Business Energy Program.

Second: Todd Pipitone

Vote: 4 Ayes. Carried

RESOL: ADOPT NEW TOWN EMPLOYEE HANDBOOK

- 2. **Resolution: Adopt new Town of Palmyra Employee Handbook previously distributed to Town Board:** James Welch made the motion to adopt new Town of Palmyra Employee Handbook as written by "Paychex".
(See Attachment B)

Second: Todd Pipitone

Vote: 4 Ayes. Carried

3. **Approve expenditure for new computer for Highway Department not to exceed \$619:** A correction from original agenda amount of \$615; James Welch made the motion to approve expenditure for a new computer for the Highway Department not to exceed \$619.

MTN: APPROVE
NEW COMPUTER
FOR HIGHWAY
DEPT.

Second: Todd Pipitone Vote: 4 Ayes. Carried

4. **Approve Supervisor and bookkeeper to act on behalf of the Board in performing audit of the town court records:** This was done last year, and it worked out well. Supervisor Miller would again like the bookkeeper, Petra Anderson, to join him so that there are two signatures on all documents. They will set up an appointment to do the audit. Todd Pipitone made the motion for them to work together in behalf of the board to perform the audit of the town court records.

MTN: APPROVE
SUPERVISOR &
BOOKKEEPER
TO AUDIT TOWN
COURT 2010
FINANCIAL
RECORDS

Second: David Nussbaumer Vote: 4 Ayes. Carried

5. **Approve 2011 Highway Auction Contract between Palmyra and Teitsworth:** Councilman Welch asked if the Palmyra Community Center would again be running the concessions. Hwy Superintendent Mike Boesel said that they would. James Welch then made the motion to approve the contract between Palmyra and Teitsworth. *(Will be found in "Contracts and Agreements" file after it is signed by Hwy Super & Teitsworth)*

MTN: APPROVE
2011 HIGHWAY
AUCTION
CONTRACT WITH
TEITSWORTH
AUCTIONEERS

Second: Todd Pipitone Vote: 4 Ayes. Carried

6. **Approve expenditure in Code Enforcement not to exceed \$520.00 on new window blinds:** Councilman Welch asked CEO Dan Wooden what the number of quotes needed was for these items. Dan pointed out that only one is needed when spending under \$1,000, that they are being purchased at Wooden's Upholstery for cost, and that they normally retail for \$900-\$1000. David Nussbaumer made the motion to approve the purchase of blinds not to exceed \$520.

MTN: PURCHASE
WINDOW BLINDS
FOR CEO
OFFICE NOT TO
EXCEED \$520

Second: Todd Pipitone Vote: 4 Ayes. Carried

MTN: APPROVE
ABSTRACT #210

- 7. **Approve Abstract #210:** Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #210, which includes Voucher Numbers 11911 thru 12011 for \$156,759.53.

Second: Todd Pipitone Vote: 4 Ayes. Carried

MTN: ENTER
EXECUTIVE
SESSION

- 8. **Motion to enter Executive Session:** At 7:40 PM Todd Pipitone made the motion to enter Executive Session to discuss matters of personnel. David Nussbaumer asked to first take a 5-minute break and continue the meeting in Supervisor’s office.

Second: James Welch Vote: 4 Ayes. Carried

MTN: EXIT
EXECUTIVE
SESSION

- 9. **Motion to Exit Executive Session:** - At 8:44 PM Todd Pipitone made the motion to exit Executive Session.

Second: David Nussbaumer Vote: 4 Ayes. Carried

MTN: ADJOURN
MEETING

- 10. **Motion to Adjourn:** At 8:45PM, James Welch made the motion to adjourn.

Second: Todd Pipitone Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Deputy Town Clerk

ATTACHMENT A: NYSEG Small Business Energy Efficiency Program –
“Energy Savings Programs”

ATTACHMENT B: Resolution to approve new Town of Palmyra
Employee Handbook

NEXT TOWN BOARD MEETING

**THURSDAY, FEBRUARY 24, 2011 - 7 PM
PALMYRA TOWN HALL**