

**REGULAR MEETING OF THE TOWN BOARD**

**PALMYRA TOWN HALL  
JANUARY 22, 2009**

At 7:30 p.m., Supervisor Lyon called to order the town board meeting, scheduled for Thursday, January 22, 2009, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York.

**CALL TO ORDER**

Supervisor Lyon led those present in the Pledge of Allegiance to the Flag.

**PLEDGE TO THE FLAG**

Upon roll call, the following board members were present:

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

**ROLL CALL**

Councilman David Nussbaumer was absent.

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

**MEETING ATTENDANCE**

Motion was made by Ken Miller to approve the minutes of the January 8, 2009 organization meeting of the Town Board.

**MTN: APPROVE  
1/8/2009 TOWN  
ORGANIZATION  
MTG MINUTES**

Second: Mike Lambrix

Vote: 4 Ayes. Carried.

**COMMUNICATIONS**

Assessment Questions and Complaint: Robert F. Morris wrote Board members a letter with a complaint about his assessment. Supervisor Lyon told board members he would investigate and get back to Mr. Morris.

**ASSESSMENT COMPLAINT**

## REPORTS OF STANDING COMMITTEES

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

#### BUILDINGS & GROUNDS REPORT

Ken Miller recommended that a sump pump be installed in the crawl space under the south end of the building to hold off any more pooling of water as Spring approaches.

### Highway Committee – James Welch, Chairman

1. January Highway Department Report: Mike Boesel provided Town Board members a Highway Department Report:

Highway Superintendent Report  
for Town Board Meeting  
January 22, 2009

Since the 12/30/2008 meeting we have completed the following work:

- Trucks/Equipment maintenance
- Plowing/Sanding –In the past 24 days we have made a total of 26 trips out of the barn. Season to date we have made 67 trips out of the barn. At this time last year we had made 44 trips.
- Hauling Sand

#### JANUARY HIGHWAY REPORT

Other miscellaneous items include:

- **SMSI Grant 07-08** – All equipment has been ordered and should start to arrive in March/April.
- **DRAFT 2009 Economic Stimulus Project List for the GTC Transportation Improvement Program Area.** We have until 2/9/09 to submit to be considered on this project list. Unfortunately we have only one road that is eligible – Stafford Road – and we just surface treated it last summer. I will explain eligibility at the meeting.
- **Salt/Sand** – So far we have ordered over 1000 ton of salt in January and hauled approximately 1600 tons of sand in the past 24 days.
- **Geotilities** – I have many pet projects cooking besides the daily grind of snow plowing and equipment repairs this time of year. I will have a flier on Geotilities for you at the meeting. I am looking at this as another possible shared service venture. I will explain further at the meeting.

- **Highway Barn** – One of my continued long-term goals is a heated truck barn. Today I met with representatives from Labella Associates regarding the possibility for solar or wind energy improvements as a potential means to find money to fund a new building. Stay tuned.
- **Equipment** –
  - **Loader Bid** – We budgeted for replacement of our existing loader in the 2009 budget. The Legal was submitted and should be in the 2/28/09 Courier Journal and notes a bid opening date of Monday 2/9/09.
  - **Sander Controls** – Trucks T18, T22 and T28 have been outfitted with the new sander controls. Truck T14 is currently being outfitted and we expect it back tomorrow or Monday.
  - **Equipment Servicing** – In the past 24 days we have mostly plowed snow and performed routine truck/equipment maintenance and servicing. Most trucks have been serviced in the past few weeks.

**JANUARY  
HIGHWAY REPORT**

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

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

1. Resolution for Training of Planning Board: Mike Lambrix brought the Resolution to Establish Acceptable Training for Town of Palmyra Planning Board members before the full Board. Recent state laws require that Planning and Zoning Boards receive training as a condition to their Board membership. It was suggested that we add the Zoning Board of Appeals members to the resolution, as they have to be trained as well. The revised resolution follows:

**RESOLUTION FOR  
TRAINING OF  
PLANNING AND  
ZONING BOARD  
MEMBERS**

**Resolution to Establish Acceptable Training for Town of Palmyra  
Planning Board and Zoning Board of Appeals Members**

**WHEREAS** Town Law Sections 267 and 271, Village Law Sections 7-712 and 7-718, and General City Law Sections 27 and 81 provide that effective January 1, 2007, all planning board members in New York State, as well as alternate members of the planning board, must complete a minimum of four hours of training each year; and

**WHEREAS** the above sections of state law provide that a planning board members shall not be eligible for reappointment to such a board if they have not completed the training required by law; and

**WHEREAS** the above sections of state law provide that the legislative body of the town, village and city specifies which activities qualify as training to satisfy the state requirements; and

**NOW, THEREFORE**, be it

**RESOLVED**, that the following list of agencies, commissions, associations, universities, and other organizations are approved to provide training to meet the state requirements when the training they provide pertains to municipal planning, zoning, community design, environmental issues, economic development, and local government functions and practices:

1. the NYS Department of State; Department of Agriculture and Markets; Office of the State Comptroller; Department of Health; Department of Transportation; Department of Environmental Conservation; Office of Parks, Recreation, and Historic Preservation; and
2. the New York State Association of Towns, the New York Conference of Mayors, New York State Association of Counties, the New York Planning Federation, the American Planning Association, the Update New York Chapter of the American Planning Association and its sections; and
3. the Capital District Regional Planning Commission, Central New York Regional Planning and Development Board, Herkimer-Oneida Counties Comprehensive Planning Program, Lake Champlain-Lake George Regional Planning Development Board, Southern Tier West Regional Planning and Development Board, Genesee-Finger Lakes Regional Planning Council, Hudson Valley Regional Council, Tug Hill Commission, and Adirondack Park Agency; and
4. Monroe County, Orleans County, Genesee County, Livingston County, Wyoming County, Seneca County, Ontario County, Yates County and Wayne County and any other Finger Lakes Region County; and
5. the Wayne County Planning Department, the Wayne Economic Development Corporation, the Wayne County Soil and Water Conservation District, and the Agricultural Development Board; and
6. the Albany Law School Governmental Law Center and Institute for Legal Studies, Pace Law School, Cornell University and its cooperative extension; and
7. on-line planning and zoning training programs offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institute of Land Use Policy;

**RESOLUTION FOR  
TRAINING OF  
PLANNING AND  
ZONING BOARD  
MEMBERS**

**AND LET IT FURTHER be**

**RESOLVED**, that other training activities may be approved on a case-by-case basis by the Town Board upon the request of a planning or zoning board member; and be it further

**RESOLVED**, that any new member appointed to fill the last 8 months of a term shall not be required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein; and be it further

**RESOLUTION FOR TRAINING OF PLANNING AND ZONING BOARD MEMBERS**

**RESOLVED**, that training received by a planning or zoning board member in excess of four hours in any one year may be carried over by the member into succeeding years; and be it further

**RESOLVED**, that the Town Clerk shall create and maintain a system of tracking the training that individual members complete annually; and such information shall be presented to the appointing authority prior to considering a member for reappointment; and be it further

**RESOLVED**, that it shall be the responsibility of the planning or zoning board member to submit written confirmation of training attended to the Town Clerk in order to receive proper credit, and be it further

**RESOLVED**, that the member of the planning or zoning board shall be reimbursed for any out-of-pocket expenses that are incurred for receiving such training, but not limited to course fees/registration fees, mileage, tolls, etc., by the Town Board after submission on appropriate forms.

**MTN: APPROVE RESOLUTION FOR TRAINING**

Motion was made by Mike Lambrix to approve the amended Resolution to include Zoning Board of Appeals members.

Second: Ken Miller                      Vote: 4 ayes. Carried.

- 2. Planning Board Term Expires: As a point of information, the five-year term for Planning Board member David A. Pinckney expired on December 31, 2008.

**PINCKNEY TERM EXPIRES ON PLANNING BOARD**

**Zoning Committee – David Nussbaumer, Chairman**

- 1. CEO Report: January's CEO Report was distributed to Board members. They read it and had a question or two, which Bob Grier answered.

**CEO REPORT FOR JANUARY**

**WIZEMAN TERM  
EXPIRES ON  
ZONING BOARD OF  
APPEALS**

2. Zoning Board of Appeals Term Expires: As a point of information, the five-year term for Zoning Board of Appeals member Tim Wizeman expired on September 30, 2008.

**NUISANCE  
PROPERTIES  
UPDATE**

3. Nuisance Properties Update: Councilman Mike Lambrix asked Bob Grier for an update on pending nuisance properties. Bob said he is taking photos of the properties and noting any changes, he has talked with Legal Counsel John Morell and there will be some activity come Spring.

**INFORMATIONAL ITEMS**

**TOWN CLERK'S  
JANUARY RPT.**

1. Town Clerk's Report for January: Board members read over the Town Clerk's Report without comment.

**ASSESSOR'S  
JANUARY RPT.**

2. Assessor's Report for January: Board members read over the Assessor's Report without comment.

**JACKSON TERM  
EXPIRES ON  
BOARD OF  
ASSESSMENT  
REVIEW**

3. Board of Assessment Review Term Expires: As a point of information, the five-year term for Board of Assessment Review member Derwent Jackson expired on September 30, 2008.

**MTN: ACCEPT  
FINANCIAL  
REPORTS OF TOWN  
CLERK AND TOWN  
COURT FOR 2008**

4. Audit of the 2008 Financial Reports: A year's worth of financial reports from the Town Clerk's office and the Town Court records for Justices Abbott and Rodman were available for the annual Board review. At 7:49, p.m. Board members took the time to audit the 2008 books. The Supervisor's office's financial books were not available at this meeting, and should be available for inspection in February. At 8:04 p.m., the meeting reconvened. Mike Lambrix made the motion to accept the 2008 financial reports from the Town Clerk's office and from the Town Court records from Justices Abbott and Rodman.

Second: Jim Welch

Vote: 4 ayes. Carried.

**AGENDA ITEMS**

- 1. Re-appointment to Planning Board: David A. Pinckney has agreed to serve another five-year term on the Palmyra Town Planning Board. Mike Lambrix made the motion to re-appoint David for a term to begin January 1, 2009 and to expire December 31, 2013.

**MTN: RE-APPOINT  
DAVID PINCKNEY  
TO PLANNING  
BOARD**

Second: Jim Welch                      Vote: 4 ayes. Carried.

- Re-appointment to Zoning Board of Appeals: Timothy Wizeman has agreed to serve another five-year term on the Palmyra Town Zoning Board of Appeals. Mike Lambrix made the motion to re-appoint Tim for a term to begin October 1, 2008 and to expire September 30, 2013.

**MTN: RE-APPOINT  
TIM WIZEMAN TO  
ZONING BOARD**

Second: Ken Miller                      Vote: 4 ayes. Carried.

- Re-appointment to Palmyra Board of Assessment Review: Derwent Jackson has agreed to serve another five-year term on the Palmyra Board of Assessment Review. Mike Lambrix made the motion to re-appoint Derry for a term to begin October 1, 2008 and to expire September 30, 2013.

**MTN: RE-APPOINT  
DERWENT  
JACKSON TO  
BOARD OF  
ASSESSMENT  
REVIEW**

Second: Jim Welch                      Vote: 4 ayes. Carried.

- 2. Set Date for Maple-Meadow Area Sewer Informational Meeting: The Town received word from the MRB Group that a preliminary map and plan have been prepared, and it is time to set a date for the investigation of possible sewers on MapleAve., Meadow Drive, Bonnie Lane, and Betty Brae Way, in an Informational Meeting. Mike Lambrix made the motion to schedule this meeting on Thursday, February 12, 2009, at 7:30 p.m. in the Palmyra Town Hall.

**MTN: SET 2/12/09  
AS DATE FOR INFO  
MTG FOR MAPLE-  
MEADOW SEWER  
DISTRICT**

Second: Jim Welch                      Vote: 4 ayes. Carried.

Letters will be sent to all residents of these streets who may be impacted. Supervisor Lyon added that there may be an item or two that need to be addressed on September 12. There may be a short Board meeting after the Informational Meeting is complete.

- 3. Appoint a Voting Delegate to the Association of Towns Annual Meeting: In order to have Palmyra represented at the NY State Association of Towns Annual Meeting--in New York

City, it is necessary to approve someone who will be attending the meeting to represent the Town of Palmyra at the Legislative Session.

**MTN: APPOINT JIM HOFFMAN TO REPRESENT PALMYRA AT ASSN OF TOWNS ANNUAL CONFERENCE**

Williamson Town Supervisor Jim Hoffman has agreed to be our voting delegate. Mike Lambrix made the motion to appoint Jim Hoffman as the Palmyra voting delegate.

Second: Ken Miller                      Vote: 4 ayes. Carried.

The Town Clerk will send in the corresponding paperwork to Albany.

**MTN: APPROVE ABSTRACT #164**

4. Approve Abstract #164: Mike Lambrix made the motion to approve the claims and expenditures shown on Abstract #164, which includes Voucher Numbers 9830 through 10,003 for \$112,655.81.

Second: Ken Miller                      Vote: 4 ayes. Carried.

**MTN: ADJOURN MEETING**

5. Motion to Adjourn: At 8:10 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

**NEXT TOWN BOARD MEETING:  
THURSDAY, FEBRUARY 12, 2009, 7:30 P.M.  
PALMYRA TOWN HALL**