REGULAR MEETING OF THE TOWN BOARD

PALMYRA TOWN HALL FEBRUARY 23, 2012

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, February 23, 2012, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York.	CALL TO ORDER
As prescribed by law, a copy of tonight's agenda was posted on the Town Hall bulletin board before the meeting, available for all to read.	AGENDA AVAILABLE TO PUBLIC
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 James Welch, Deputy Supervisor Michael Lambrix, Councilman Todd J. Pipitone, Councilman Councilman David Nussbaumer was excused	ROLL CALL
Also attending: Code Enforcement Officer Dan Wooden, Roy Wilck, Leslie Green, Boy Scout Bradley Green, Andrew Lambrix, Deputy Town Clerk Irene Unterborn and Highway Superintendent Mike	MEETING ATTENDANCE

Leslie Green, Boy Scout Bradley Green, Andrew Lambrix, Deputy ATTENDANCE Town Clerk Irene Unterborn and Highway Superintendent Mike Boesel.

Motion was made by Todd Pipitone to approve the minutes of the January 26, 2012 meeting of the Town Board.		MTN: APPROVE MINUTES OF 1/26/2012 TOWN
Second: Mike Lambrix	Vote: 4 Ayes. Carried.	BOARD MEETING

COMMUNICATIONS

Wayne County Sheriff's Office Report: The Wayne County Sheriff's department provided 2011 year-end statistics of Tickets by Town. **WAYNE COUNTY SHERIFF'S 2011 REPORT**

REPORTS OF STANDING COMMITTEES

Economic Development, Appeals and Town Clerk's Office Committee – Todd Pipitone, Chairman

- 1. **Town Clerk's Office Report for February:** Councilman Todd Pipitone suggested Board members read the report, which includes details about projects and tasks the Town Clerk's office worked on in February. In addition to these tasks, Celeste provided a detailed list of counter/phone support, and a cash transaction analysis for the month. Lynne provided a list of miscellaneous items done since January 2012 that are not part of a particular project, but which are an integral part of the things a Town Clerk does in the office.
 - 2. **Town Board Statement Concerning Town Clerk's Office Hours:** At this point, Councilman Todd Pipitone read a prepared statement from the Town Board concerning the reduction in hours for the Town Clerk/Records Management Coordinator position:

"The decision of the Palmyra Town Board to restructure the hours of the part-time Deputy Clerk/Archives was made as part of the 2012 budget process. The change was initially conceived from a recommendation made by the Town Clerk for the Deputy Town Clerk to be made a full-time position. The change to go forward with the restructured personal services lines was shared with the Town Clerk from the outset for the purposes of planning and scheduling within the Clerk's office. By not increasing the cost to taxpayers in the 2012 budget for the introduction of a full-time Deputy Town Clerk, the Town Board's decision in this matter is consistent with its goal to maintain fiscal responsibility and accountability."

3. **Regional Town Clerks' Association Seminar in Geneva:** Since the statewide Town Clerks' Association Conference is in Saratoga Springs this year, and many town clerks around the state cannot attend, a regional seminar is being offered in Geneva on March 26, 2012. The cost is \$30 to attend, which includes lunch. Irene indicated an interest in attending. Her request includes cost of the seminar plus mileage reimbursement.

TOWN BOARD PREPARED STATEMENT ABOUT TOWN CLERK'S OFFICE HOURS

TOWN CLERK'S

OFFICE REPORT

FOR FEBRUARY

TOWN CLERKS ASSOCIATION SEMINAR

REGIONAL

Highway Committee – James Welch, Chairman

1. **February Highway Report:** Highway Superintendent Mike Boesel submitted the following report From January 26 to February 23:

Highway Superintendent Report for Town Board Meeting 02/23/2012

Since the 1/26/12 meeting we have completed the following work:

• Plowing/Sanding –To date this winter season we have made a total of 34 trips out of the barn.

A comparison to this point of the past 4 winter seasons is below:

- February 2011 110 trips.
- February 2010 90 trips.
- February 2009 90 trips.
- February 2008 78 trips.

Other miscellaneous items include:

- **Salt Orders** To date this winter season we have ordered 1299 tons of our 3300 ton allotment, which is 39% of our requested allotment. I intend to order another 500 tons soon, which will bring us to approx 54%. If we don't take 70% of our requested allotment by the end of August, we could be charged storage fees of \$3.50/ton.
- **Tree & brush work** –We recently trimmed trees on Floodman Road and Hanagan Road. We recently brushmowed roadsides on Port Gibson, Hogback, Goldsmith, Lusk, Schilling, Garnsey and Trolley Roads. Village assistance to offset the labor balance is being used on these tree trimming projects.
- **Hauling Stone** Over the past month we have hauled over 1000 tons of stone for summer road projects. Village assistance in hauling this stone was used to offset the labor balance.
- **Town Hall work** Last month we completed our parking lot light pole re-painting project. This month we have been on a bathroom re-painting project at the Town Hall. We have also been working on the kitchen ceiling. Village assistance to offset the labor balance was used again this month.
- Red Barn Roof I continue to review/discuss our options regarding not only the red barn roof, but also our overall building needs. I will continue to work on our options for next meeting.
- **Pothole Patching** Over the past month we have routinely patched potholes around the Town.

FEBRUARY HIGHWAY REPORT

- **Equipment** We continue to perform routine maintenance on all trucks and equipment. We recently performed an annual service to our mowing tractor, sweeper tractor and roller.
- **Bobcat Purchase Approval** I am asking permission to place the order for our new 2012 Bobcat S650. This is a budgeted purchase for 2012. The new machine will cost NTE, \$28,213.00
- **CHIPs Funding** Governor Cuomo recently announced he has no intentions to cut back (or raise) our CHIPs funding in his upcoming budget. This funding is critical to keeping our roads in good condition. Nevertheless, we are gearing up for our annual Advocacy Day in Albany on March 7th.
- **Palmyra Municipal Auction** The date has been set for Saturday May 12, 2012. The Contract Agreement is on the agenda for approval.
- **Village Budget** It's budget season in the Village and I had my second/third budget meetings this past month. The next meeting is scheduled for 3/5/12.
- 1. <u>Municipal Auction Contract</u>: With the date set for May 12th, the contract between the Town and Roy Teitsworth, Inc. was reviewed. Mike said the terms are the same as last year. He added that Garlock has approved parking in their lot for auction goers. Jim Welch wanted to know if the Palmyra Community Center will still have concessions. Mike said that they do, with the Pal-Mac Lions Club helping out.
- 2. **Purchase of Bobcat Skidsteer:** The request for approval of a 2012 Bobcat Skidsteer had been budgeted for this year. Its cost is \$28,213.

Operations and Planning Committee – Mike Lambrix, Chairman

PLANNING
BOARD MTG ON
2/13/2012Planning Board Meeting:
Meeting:Mike Lambrix informed Board
members that the minutes to the Planning Board meeting on
February 13 were in their packets. There were no comments.

MUNICIPAL AUCTION CONTRACT

FEBRUARY HIGHWAY

REPORT

PURCHASE BOBCAT SKIDSTEER

Zoning and Assessor's Office Committee – David Nussbaumer, Chairman

1. **Assessor's Office Report for February:** The February Assessor's Report will be included on the March agenda. Assessor Elaine Herman submitted a request to attend three RPS courses, each course being two days in length, held in Batavia. RPS V4 Evaluation is June 5 & 6; Field Review is June 19 & 20; RPS V4 Commercial Valuation is June 27 & 28. She proposed driving to and from Batavia each day. She is now requesting Board approval to attend them, driving back to Palmyra each day, charging only mileage and meals. Clerk to the Assessor, Joan Gates, would attend the Field Review course and ride with Elaine.

Discussion centered on why Elaine wishes to return home each day, rather than stay at Batavia-area lodging. It was felt comparison should be made between cost of driving twice per session vs. staying in Batavia overnight.

- Code Enforcement/Zoning Office Report: February CEO Reports were included in Board packets. There were no comments about them. Dan Wooden reported a number of business and apartment inspections in February. Soon, he will be inspecting Manufactured Home Parks in the Town.
- <u>No Zoning Board of Appeals Meeting in February:</u> Although the Zoning Board didn't meet during February, Town Board members asked Dan Wooden to update them on several ongoing issues:
 - Jim Welch asked Dan Wooden about the current status of the Christofferson property on Garnsey Rd. Dan said it was not yet cleaned up and is back in legal hands.
 - Mike Lambrix asked about the Secore property on Route 31. Dan said the zoning was changed to Commercial, so the owner may have some salvage or un licensed cars on the property.
 - Mike also asked about the Dibert property on North Creek Road. Dan said that the court judgment was that since Dibert had a purchase offer in for the old Plassche Lumber property by the railroad tracks, to move his salvage business to that property, the court would

ASSESSOR'S REQUEST FOR APPROVAL AT TRAINING SESSIONS

CODE ENFORCEMENT/ ZONING OFFICE REPORTS

NO ZONING BOARD MEETING IN FEBRUARY

STATUS OF GARNSEY RD. PROPERTY --CHRISTOFFERSON

STATUS OF SECORE PROPERTY--ROUTE 31 STATUS OF DIBERT PROPERTY— N. CREEK RD.

> Ken Miller brought the Board up to date on the Trolley Road property. Currently, the property was moved to Roll Section 8 because of non-payment for back taxes. Recently, Kevin Carrier requested that the County restore the status of the

STATUS OF TROLLEY RD. PROPERTY— NOW OWNED BY WAYNE COUNTY Supervisors' meeting this morning (February 23), this subject was voted on. If Kevin satisfies all current and back taxes plus penalties, and he provides a statement to the County attorney from the DEC that the county will not be held liable for any environmental issues in the future, then the County would contact Palmyra to return the property to Roll Section 1. This can only be done at the direction of the Wayne County Attorney.

property if he pays the back taxes. Ken said at a County

approve his request. However, the judge didn't say he had to

buy the property. Dibert rescinded his offer, so he is currently

out of compliance. In fact, Dibert's current property is worse

than ever. Dan will check with Judge Rodman on that issue.

ATTACHMENT A

Wayne County "Resolution No. 1-1: Authorizing County Treasurer to Reinstate Kevin Carrier on the Tax Roll" is included with these minutes as Attachment A.

INFORMATIONAL ITEMS

- 1. <u>Historian's 2011 Annual Report</u>: Palmyra Historian, Beth Hoad, submitted to the Town Board her 2011 Annual Report. She outlined the projects she worked on during the year, as well as the Historians' meetings she attended.
- Beth also submitted a voucher for mileage reimbursement and registration fee to attend the Regional Winter Meeting of the Association of Public Historians of New York State.
 - <u>Congratulations to Eagle Scout</u>: Town Supervisor, Ken Miller, wrote a letter of congratulations to Eagle Scout Jacob Habecker, of Palmyra Troop 96, on his achievement of Scouting's highest award.

PALMYRA HISTORIAN'S 2011 ANNUAL REPORT

CONGRATU-

LATIONS TO

EAGLE SCOUT

3. Payment Agreement for Sewer Service: In October of 2009, the Town of Palmyra and Rebecca McCormick of Division Street, agreed to a payment schedule for back sewer charges. Tonight, Town Board members received the information that this payment agreement has been paid in full as of February 16, 2012.

AGREEMENT FOR SEWER SERVICE PAID IN FULL

4. **Public Input:** There were no comments from members of the NO PUBLIC INPUT public in attendance at the meeting.

AGENDA ITEMS

Approve: Agreement with Auctioneer for Municipal 1. **Auction 2012:** Councilman Jim Welch made the motion to approve the agreement with Roy Teitsworth, Inc. for the Municipal Auction to be held on May 12.

MTN: APPROVE AUCTIONEER AGREEMENT FOR MUNICIPAL AUCTION

Second: Todd Pipitone

Vote: 4 Ayes. Carried.

2. Resolution: Wavne County Multi-Jurisdictional Municipal Shared Service Agreement, and Resolution: Wayne County Multi-Jurisdictional Municipal Mutual Aid **Agreement:** These two resolutions with their accompanying agreements, were received from Wayne County. Ken Miller explained that these would be binding contracts between the Towns and the County, and would be good to foster intracounty help, such as in the event of an emergency. Todd Pipitone added that these agree-ments can help pursue grants from New York State and the Federal Government. In the event of a large emergency, these contracts need to be in place to get funds from FEMA.

Having said this, Ken added that they should be tabled until the March meeting. The County has not yet approved theirs. Once they have approved the resolutions, then it would be time for the Towns to approve them. Jim Welch made the motion to table approval of these resolutions until after the County approves them.

MTN: TABLE TWO RESOLUTIONS FOR SHARED SERVICES AND **MUTUAL AID WITH** COUNTY

Second: Todd Pipitone Vote: 4 Ayes. Carried.

Highway Superintendent, Mike Boesel, said all 15 county Highway Superintendents signed such an agreement years ago. He asked Ken Miller if George Bastedo has contacted the County Highway Department yet. Apparently, the Town Highway Superintendents also suggested that the agreement include towns in other counties that border Wayne County.

> Mike Lambrix added this should be done with the whole State. In recent disasters, particularly downstate, some surrounding counties wanted to help but were not allowed to.

 Approve: Supervisor's Attendance at Conference: Todd Pipitone made the motion to approve Supvervisor Ken Miller's attendance at the Small Communities Practical Resources for Governance conference on April 10 – 12, 2012 at Minnowbrook Confernce Center in Blue Mountain Lake in the Adirondacks, not to exceed \$240 plus mileage.

Second: Jim Welch

Vote: 4 Ayes. Carried.

4. <u>Approve: Assessor and Clerk to the Assessor Attend</u> <u>Three Required Training Courses:</u> Mike Lambrix made the motion to approve attendance at three Assessor training courses, plus meals, mileage and Thruway tolls.

Second: Jim Welch Vote:

In the discussion, Mike Lambrix asked why the request included a roundtrip each day of the two-day courses in Batavia, instead of staying overnight in a hotel. After calculating mileage costs, he felt it would be less expensive to stay in Batavia overnight.

He then rescinded his motion and proposed a second motion: to table the request for attendance at these conferences and to compare the cost of driving twice each time versus staying overnight in Batavia.

Second: Todd Pipitone Vote: 4 Ayes. Carried.

MTN: APPROVE SUPERVISOR ATTENDANCE AT CONFERENCE

SHARED

SERVICES

CONTINUED

DISCUSSION

MTN: TO APPROVE ASSESSOR ATTENDANCE AT 3 TRAINING COURSES IN BATAVIA

RESCIND MOTION

MTN: TABLE REQUEST FOR 3 TRAINING COURSES IN BATAVIA 5. Approve: Round-Trip Mileage for Town Clerks Association Regional Seminar: The March 26th Regional Seminar in Geneva would cost \$30 for the morning sessions, including lunch. The request includes mileage for the trip. Todd Pipitone made the motion to approve the request for mileage reimbursement, in addition to the \$30 registration fee for Deputy Town Clerk Irene Unterborn to attend.

MTN: APPROVE TOWN CLERKS SEMINAR + MILEAGE

PROJECT

Second: Jim Welch

- Vote: 4 Ayes. Carried.
- 6. Approve: Proposal by Lang Heating for Furnace: Lang Heating and Cooling in Webster, submitted a proposal of \$7,635.00 to complete Phase 3 of the Furnace Replacement Project. Ken said it had been budgeted for 2012, and the **MTN: APPROVE** quote came in under budget. Mike Lambrix made the motion **PROPOSAL FOR** PHASE 3 OF to approve the proposal by Lang Heating and Cooling, not to FURNACE exceed \$7,635.00. REPLACEMENT

Second: Todd Pipitone

Second: Mike Lambrix

Vote: 4 Ayes. Carried.

Vote: 4 Ayes. Carried.

7. Approve: Purchase of Bobcat Skidsteer for Highway **Department:** Jim Welch made the motion to approve the purchase of a Bobcat Skidsteer, which had already been budgeted for the Highway Department, not to exceed MTN: \$28,213.00. PURCHASE BOBCAT SKIDSTEER

Second: Todd Pipitone Vote: 4 Ayes. Carried.

Approve: Palmyra Historian's Expenses: Todd Pipitone 8. **MTN: APPROVE** made the motion to reimburse the Historian's expenses to **HISTORIAN'S** attend the Public Historians meeting, plus mileage. **EXPENSES &**

FOR MEETING Second: Mike Lambrix Vote: 4 Ayes. Carried.

9. Approve: Audit Justice Department 2011 Books: Todd Pipitone made the motion to authorize the Supervisor and Bookkeeper to audit the 2011 Justice Department books, in the Court Clerk's office, as done previously, with a report of their audit to be part of the March 22 Town Board meeting.

MTN: **AUTHORIZE SUPERVISOR &** BOOKKEEPER TO AUDIT JUSTICE 2011 BOOKS

REIMBURSE

10. Audit of 2011 Books for Offices of Supervisor and <u>Town Clerk:</u> At 7:14 p.m., Ken Miller announced the 2011 Financial Books for the Town Clerk's office were available for Board audit at this time. He also announced that he asked Bookkeeper Petra Anderson to locate two representative financial items in 2011, and to include all of the paperwork trail for those two items. She provided a folder with two items that had invoices and payments that were followed through the year.

After looking at various records and asking some questions, an item was found to have an input error on the November 2011 Town Clerk's work sheet. Cross-checking other items in that report, the amount in question was correctly reported on another page. Todd noted the error should be fixed right away.

At 7:48 p.m., Jim Welch made the motion to approve the audit of the 2011 Financial Records of the Supervisor and Town Clerk, with noted change.

Second: Mike Lambrix Vote: 4 Ayes. Carried.

11. **Approve: Claims & Expenditures on Abstract #228:** Councilman Todd Pipitone made the motion to approve the claims and expenditures shown on Abstract #228, that includes Voucher Numbers 12926 through 13007 for \$495,245.52.

Second: Mike Lambrix Vote: 4 Ayes. Carried.

12. **Motion to Adjourn:** At 7:50 p.m., Mike Lambrix made the motion to adjourn the meeting.

Second: Todd Pipitone

Vote: 4 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green Palmyra Town Clerk

MTN: APPROVE

AUDIT OF 2011 FINANCIAL RECORDS OF

SUPERVISOR

AND TOWN

CLERK

MTN: APPROVE CLAIMS & EXPENDITURES ON ABSTRACT #228

MTN: ADJOURN

MEETING

ATTACHMENT A: Wayne County "Resolution No. 1-1: Authorizing County Treasurer to Reinstate Kevin Carrier on the Tax Roll"

NEXT TOWN BOARD MEETING: THURSDAY, MARCH 22, 2012, 7:00 P.M. PALMYRA TOWN HALL