

**REGULAR MEETING OF THE TOWN BOARD
APRIL 27, 2006**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, April 27, 2006, at the East Palmyra Fire Hall, Tellier Road, East Palmyra, NY, was called to order at 7:36 p.m. by Town Supervisor David C. Lyon.

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
- Michael Lambrix, Councilman

ROLL CALL

Councilmen Kenneth Miller and David Nussbaumer were absent.

Also attending the meeting:

- Todd Pipitone Palmyra *Courier-Journal* reporter
- Michael Boesel Palmyra Highway Superintendent
- Diana Wirth East Palmyra resident
- Steve Wheeler East Palmyra resident
- Roy C. Wilck East Palmyra resident

MEETING ATTENDANCE

Supervisor Lyon announced that the public hearing, which had been scheduled for this evening, would not take place. The request by Tamela Rothfuss will be handled by the Zoning Board of Appeals.

Motion was made by Mike Lambrix to approve the minutes of the March 23, 2006 meeting of the Town Board.

**MTN: APPRV
3/23/2006
TOWN BOARD
MTG MINUTES**

Second: Jim Welch

Vote: 3 ayes. Carried.

COMMUNICATIONS

1. Wayne ARC letter concerning Jeffery Road purchase: At the last Town Board meeting, board members decided not to respond to Wayne ARC's letter which stated that the alternate site of 216 Cuyler Street did not meet acceptable guidelines for the home they needed to purchase. "As of today, 4/11/06, Wayne ARC has not received a written response from the Town of Palmyra. Therefore please be

**WAYNE ARC
PROCEEDING
WITH
PURCHASE OF
JEFFERY RD.
HOME**

advised that as the Town has decided not to respond, Wayne ARC is seeking to finalize the contract for purchase of 3405 Jeffery Road...[Y]our lack of response indicates that there is no objection to this site.”

“BICYCLISTS BRING BUSINESS” ROUNDTABLE MEETING AT PALMYRA INN

- 2. “Bicyclists Bring Business” Roundtable in Palmyra: NY State Parks and Recreation is sponsoring a Roundtable May 15th at the Palmyra Inn, focusing on bicyclists passing through Palmyra along the Canalway Trail each summer, and the economic impact it can have on the community. It is free to local business people and interested citizens.

FREE SEMINAR ON GAS PIPELINE SAFETY IN WATERLOO

- 3. SafetyComm Solutions Invitation for Training: SafetyComm Solutions is a company dedicated to public awareness and gas pipeline safety training. They are offering a free seminar on May 9 at the Holiday Inn in Waterloo. It will be focused on information to help minimize the risk of financial harm, employee injury and loss of life. Board members were given copies of the registration form if they wish to attend, along with a brochure on gas pipelines, emergency procedures, and ways to identify gas leaks.

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Kenneth Miller, Chairman

Ken Miller was absent from the meeting so there was no report. However, in his absence, the Town Board approved the purchase of trees for Town property, using “Rural Community Conservation Project” grant funds of \$1,000.

MTN: AUTHORIZE PURCHASE OF NEW TREES TO BE REIMBURSED BY WCSWCD

Mike Lambrich made the motion to authorize purchase of trees for Town-owned property of up to \$1,000, to be reimbursed by the Wayne County Soil and Water Conservation District.

Second: James Welch

Vote: 3 ayes. Carried

Highway Superintendent, Mike Boesel added that the trees planted last year in the front of Town Hall are not blooming this year. It was very hot and dry in the summer. He had talked with the nursery that sold us the trees last year. The grower said he’d back up the quality of the trees, and would be willing to sell us replacement trees for half price.

Highway Committee – Michael Lambrix, Chairman

- 1. Highway Department Monthly Report: In his report for April, Highway Superintendent Mike Boesel outlined projects his crew has worked on during the month. He expects to receive more CHIPs funding this year.

**HIGHWAY
DEPARTMENT
REPORT FOR
APRIL**

His crew noted a problem with a hoist in the Highway garage this month, so Mike had it inspected. He is getting repair and replacement quotes.

He has contacted homeowners along Canandaigua Road requesting easements for construction of an extension of the sidewalk from the village to Town Hall along the front of their properties. Signatures are now being sought.

The chip seal done on Shilling and Hogback Hill Roads last year needs to be re-done. Mike contacted the asphalt company, and they are backing up their word on the guarantee. They will pay all oil and stone costs to re-chip seal this area.

Highway employees attended NIMS/ICS training and annual Hazmat refresher training this month. This is essential to apply and be considered for disaster relief funding should it be necessary in the future. Mike also wrote Jim Brady, Wayne County Highway Superintendent, asking for a new evaluation of the intersection where Galloway Road meets Hogback Hill Road for change in signage.

- 2. Surplus Items for Municipal Auction: Mike provided a list of items the Highway Department wants to be declared as surplus, so they can be included in this year's Municipal Auction on May 20th. Mike Lambrix made the motion to declare the listed items as surplus for the 2006 auction.

**MTN: DECLARE
ITEMS AS
SURPLUS ON
HIGHWAY DEPT.
LIST**

Second: Jim Welch

Vote: 3 ayes. Carried.

- 3. Purchase of new computer: Mike has budgeted funds this year to purchase a new PC for his department. His current PC was purchased in 1999. He provided quotes from both Gateway and Dell for a complete system. His current PC would be used by his assistant, Karen, instead of the one she now uses. The lower quote for his PC was Dell's price of

**MTN:
PURCHASE NEW
PC FOR
HIGHWAY
DEPARTMENT**

\$1,294.20. Mike Lambrix made the motion to accept Dell's bid for a PC at the Highway Department.

Second: Jim Welch

Vote: 3 ayes. Carried.

**HIGHWAY DEPT.
PROJECTS FOR
2006**

Next, Mike listed projects slated for work this summer: Shilling Rd.—replace culvert (with no materials cost to the Town) and chip seal; DeSmith Rd.—repave and drop the “knob” near Newark-Marion Rd.; Hogback Hill and South Creek Rds.—stone and oil, want to do “wedging” with hot mix asphalt on the edge of the road.

Planning Committee – James Welch, Chairman

There was no report from this committee this month.

Zoning Committee – David Nussbaumer, Chairman

**CEO REPORT
FOR APRIL**

CEO Report: Although Code Enforcement Officer Bob Grier was on vacation, Deputy Code Enforcement Officer Dan Wooden has continued to provide departmental services. A monthly report was submitted which summarizes activity through April 26, 2006.

INFORMATIONAL ITEMS

**ASSESSOR'S
REPORT FOR
APRIL**

1. Assessor's Report for April: The Tentative Roll for 2006 will be filed with the Town Clerk on Friday. Grievance Day is May 23rd. New to the Board of Assessment Review this year are Dick Green and Rob Magde. She also outlined changes in STAR exemptions this year, and proposed assessment changes to CSX Railroad.

**2006 GRIEVANCE
DAY ON MAY 23**

2. 2006 Grievance Day: Dave Lyon announced that Grievance Day this year would be Tuesday, May 23rd. Those wishing to grieve their assessment should call the Assessor's office and schedule an appointment ahead of time.

**SATELLITE TELE
CONFERENCE**

3. NY State Comptroller's Teleconference Series: Councilman Dave Nussbaumer and Town Justice Bill Abbott attended a live satellite teleconference on April 11 entitled “Justice Court

Finances: Who's Accountable for What?" Although Dave was unable to attend tonight's meeting, he sent word that the teleconference was well worth attending. He asked that board members receive a copy of "Appendix 8—Monthly Review of Justice Court Records Checklist." It was passed out to board members.

4. Morrison Excavating Quarterly Check: The Town received a check from Morrison Excavating, Inc. for \$165.00 "for gravel removed from our Division Street gravel pit during the first quarter of 2006."

**MORRISON
EXCAVATING
QUARTERLY
CHECK**

5. Proposed Water District Maps: To follow up on the survey sent to town residents on Parker, Cole, Cambier, Fagner, Johnson, Floodman, Port Gibson and South Creek Roads, maps had been printed with each land parcel outlined. Using colored highlight markers, each affected property was shaded as to whether or not the property owner wished to have water at this time. The maps were available at the board meeting for those present to look over. The colored areas easily identified where the properties are which would like to receive municipal water, and where the proposed water lines would most likely be placed. Three roads, Cole, Fagner and Cambier would not be included in the project because their residents were mostly opposed to it. The remaining five roads would need to be reconfigured by project engineers into a new district. The maps will be sent to MRB Group in order to continue with the project.

**MAPS OF
PROPOSED
WATER
DISTRICTS**

6. Replacing Flags at Town Hall: Members of the Palmyra VFW came to Town Hall in April with a new American flag and a new POW/MIA flag. In correct ceremonial fashion, they replaced the worn and tattered flags, which have been flying in front of Town Hall for the last several years, at no cost to the town. They will properly dispose of the worn flags. Supervisor Lyon thanked the VFW for providing the town with this important service.

**VFW REPLACES
FLAGS AT TOWN
HALL**

AGENDA ITEMS

1. Resignation of Palmyra Historian: Palmyra Historian Sarah Herendeen submitted a letter of resignation to the town and village boards. She now plans to attend graduate school and would not be able to devote the time to do the work of

MTN: ACCEPT RESIGNATION OF PALMYRA HISTORIAN

Historian. She thanked the boards for the opportunity to learn about Palmyra’s history and to meet new people. Mike Lambrix made the motion to accept Sarah Herendeen’s resignation as Palmyra Historian.

Second: Jim Welch

Vote: 3 ayes. Carried.

MTN: ACCEPT RESIGNATION OF BILL URTZ FROM BOARD OF ASSESSMENT REVIEW

- 2. Resignation from Board of Assessment Review: A letter was received from William Urtz resigning from the Board of Assessment Review. Bill had been appointed last year to the board, but had been unable to attend the training class in Lyons. Consequently, he was unable to serve on that board during Grievance Day last year. This year, he is again unable to attend the training for health reasons, and asked to have his name removed, so that someone else could be trained and serve this year. Mike Lambrix made the motion to accept Bill Urtz’s resignation as a member of the Board of Assessment Review.

Second: Jim Welch

Vote: 3 ayes. Carried.

MTN: ACCEPT ROB MAGDE TO SERVE ON BOARD OF ASSESSMENT REVIEW

- 3. Appoint new Board of Assessment Review Member: It was proposed that the Town Board appoint Rob Magde to replace Bill Urtz on the Board of Assessment Review. Rob has indicated a willingness to serve and is able to attend the training session. If appointed, his term would end September 30, 2009. Mile Lambrix made the motion to appoint Rob Magde to the Board of Assessment Review.

Second: Jim Welch

Vote: 3 ayes. Carried.

RESOLUTION: ADOPT NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) FOR EMERGENCIES AND DISASTERS

- 4. Resolution—Adoption of the National Incident Management System (NIMS): The following resolution was introduced to the Town Board to be in place should there be a “domestic incident” regardless of cause, size or complexity:

It is hereby resolved by the Town Board of the Town of Palmyra, State of New York that:

WHEREAS, in Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary that all federal, state, local and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structure, uniform personnel qualification standards, uniform standards for planning, training and exercising, comprehensive resource management and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes, and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs; and

WHEREAS, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW THEREFORE, pursuant to the authority invested in me by the local authority and provisions of local law. I do hereby mandate the National Incident Management System be utilized for all incident management in the Town of Palmyra.

I further proclaim this to take effect immediately.

Given under my hand and the Seal of the Jurisdiction, at the Town of Palmyra, New York, this 27th day of April, in the year of our Lord two thousand six.

David C. Lyon
Palmyra Town Supervisor

**MTN: APPROVE
NIMS
RESOLUTION**

The motion was made by Jim Welch to approve the Resolution for the Adoption of the National Incident Management System.

Second: Mike Lambrix

Vote. 3 ayes. Carried

Supervisor Dave Lyon said the Town's Emergency Disaster Plan will be housed in his office and Petra Anderson will be responsible for keeping it updated.

**MTN: APPROVE
TOWN HALL
ITEMS AS
SURPLUS**

5. Surplus Items for Municipal Auction from Town Hall: May 20 is the Municipal Auction in Palmyra. Several items at Town Hall are not being used and are to be considered surplus. They include: an apartment-sized refrigerator, two convection ovens, a 6-burner cast iron stove--restaurant grade, and accordion-style folding doors in Archives Room A. Mike Lambrix made the motion to declare the above-listed items as surplus.

Second: Jim Welch

Vote: 3 ayes. Carried.

**MTN: PETRA
ANDERSON TO
ATTEND TOWN
FINANCE &
MANAGEMENT
SCHOOL**

6. Town Finance and Management School: The request was made to have Petra Anderson attend the Sixth Annual Town Finance and Management School on May 10-12 at the Woodcliff Lodge in Rochester. Since Petra would be commuting, there wouldn't be a lodging charge. Registration is \$200. Mike Lambrix made the motion to approve Petra Anderson's attendance at the Town Finance and Management School at a cost not to exceed \$200.

Second: Jim Welch

Vote: 3 ayes. Carried.

**MTN: LYNNE
GREEN TO
ATTEND
RECORDS
MANAGEMENT
SCHOOL**

7. Records Management School: The request was made to have Lynne Green attend the NY Association of Local Government Records Officers (NYALGRO) School on June 5-6 at the Canandaigua Inn on the Lake Hotel. Lynne is the town's Records Management Officer. Since she would be commuting, there wouldn't be a lodging charge. Registration and meals are \$106. Mike Lambrix made the motion to approve Lynne Green's attendance at the Records Management School at a cost not to exceed \$106.

Second: Jim Welch

Vote: 3 ayes. Carried.

**MTN: APPROVE
MANUFACTURE
HOME PARK
PERMIT
RENEWALS FOR
VALLEY VIEW &
MARQUART
VILLAGE**

8. Manufactured Home Park Permit Renewals: Two town manufactured home parks have submitted applications and payments for their permits from June 1, 2006 through May 31, 2007. Mike Lambrix made the motion to approve the 2006-

2007 Manufactured Home Park permits for Valley View Mobile Home Park and for Marquart Village, Inc.

Second: Jim Welch

Vote: 3 ayes. Carried.

9. Resolution--Justice Court Assistance Program:

JUSTICE COURT ASSISTANCE PROGRAM

The following resolution was moved by Councilman James Welch, and seconded by Councilman Michael Lambrix:

WHEREAS, the State of New York has enacted a law establishing the Justice Court Assistance Program I.999.c280 that will enable communities to apply to the Chief Administrative Judge for a grant of State funds to assist in the operation of justice courts, and

WHEREAS, the availability of grant funding would enhance the ability of the town justice court to provide suitable and sufficient service to the community;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to file an application for a Justice Court Assistance Program grant for the New York State fiscal year ending March 31, 2007.

Vote: 3 Ayes 0 Nays 2 Councilmen were absent

**MTN: APPROVE
RESOLUTION
FOR JUSTICE
COURT
ASSISTANCE
PROGRAM**

STATE OF NEW YORK }
COUNTY OF WAYNE } ss:

I, the undersigned Town Clerk of the Town of Palmyra DO HEREBY CERTIFY as follows:

1. A regular meeting of the Town Board of the Town of Palmyra, Wayne County, State of New York, was held on April 27, 2006, and minutes of said meeting have been duly recorded in the minute book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Town Board.

2. I have compared the attached Extract with said minutes so recorded and said Extract is an exact copy of said minutes and of the whole thereof, insofar as said minutes relate to matters referred to in said Extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of the Board attending the meeting.

4. Public notice of the time and place of said meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 and of the State of New York and that all members of said Town Board had the notice of said meeting, and the meeting was in all respects duly held and a quorum was present and acted throughout.

IN WITNESS THEREOF, I have hereto set my hand and have hereunto affixed the corporate seal of the Town of Palmyra this 28th day of April 2006.

Lyndall Ann P. Green
Palmyra Town Clerk

**MTN: APPROVE
ABSTRACTS
#102 AND #103**

- 10. Approve Abstracts #102 and #103: Mike Lambrix made the motion to approve the claims and expenditures shown on Abstract #102 (for vouchers already paid), which includes Voucher Numbers 7104 through 7112, for \$121,794.24, and Abstract #103, (for vouchers to be paid) which includes Voucher Numbers 7113 through 7193 for \$40,674.99.

Second: Jim Welch

Vote: 3 ayes. Carried.

**MTN: ADJOURN
MEETING**

- 11. Motion to Adjourn: At 8:14 p.m., Mike Lambrix made the motion to adjourn the meeting.

Second: Jim Welch

Vote: 3 ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

**NEXT MEETING:
THURSDAY, MAY 25, 2006, AT 7:30 P.M.
PALMYRA TOWN HALL**