



**PROCLAMATION OF APPRECIATION  
on the passing of Lyman Kaller**

*WHEREAS, the Town Board of the Town of Palmyra, County of Wayne, State of New York, mourns the passing of Lyman Kaller, along with his family, friends and Palmyrans; and*

*WHEREAS, the Town Board recognizes the many years of service to the Town of Palmyra by Lyman Kaller, in various capacities, beginning in 1957:*

- Palmyra Deputy Highway Superintendent*
- Palmyra "Acting" Highway Superintendent*
- Member of the Town Planning Board*
- Palmyra Liaison to Wayne County Planning Board*
- Election Machine Custodian; and*

*WHEREAS, these many years of service to the Town of Palmyra have benefited the Town and its residents in so many ways; and*

*WHEREAS, the Town Board of the Town of Palmyra appreciates the dedication Lyman Kaller has brought to the Town as a whole;*

*NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Palmyra wishes to express its deep gratitude to Lyman Kaller for the time and effort in serving the Town of Palmyra these many years; and*

*BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra wishes to thank the family of Lyman Kaller for sharing his talents and service with the people of Palmyra and for supporting Lyman in carrying out his various Town duties.*

*Dated: October 24, 2013*

**PROCLAMATION  
OF  
APPRECIATION  
ON THE PASSING  
OF LYMAN  
KALLER**

2. **United Nations "Agenda 21" Presentation:** A packet of information was given to Board members at the September meeting about "Agenda 21—Understanding Sustainable Development For the People and their Public Officials" prepared by Freedom Advocates. Tim Altier presented information which concerns "encroachments of those in power" in our political structure, upon individual rights. They discussed Regionalism, which they feel "is the antithesis of representative government." Their "10 Reasons to Avoid Regional Plans" list:

- 1. Planners gain miniscule community participation when forming the regions, the plans or the councils.*
- 2. Plans are pre-packaged and do not represent unique community needs.*
- 3. Plans do not protect individual property rights.*
- 4. Plans fail to protect communities against onerous regulations passed by regional councils.*
- 5. Plans rely on questionable "experts" for critical advice.*
- 6. Plans release questionable or incomplete statistics, which create false impressions.*

**UNITED NATIONS  
AGENDA 21  
PRESENTATION**

7. Promotes community solutions without explaining the potential negative effects.
8. Councils open the door for government grants, which often contain restrictive policies to reduce vehicle use while forcing low-income housing and social justice.
9. Regional councils confiscate much of local officials' power, leaving the community with less representation.
10. Once formed, regional councils are virtually irreversible.

**UNITED NATIONS  
AGENDA 21  
PRESENTATION**

Supervisor Miller asked Mr. Altier to send him a summary. He added that this topic hasn't been approached at the county level yet.

## **REPORTS OF STANDING COMMITTEES**

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

#### **Town Clerk's Office Report for October:**

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- **SPECIAL REQUEST--Irene:** Mandatory DEC training meeting November 7<sup>th</sup> in Victor, as the DEC changes to a new hunting/fishing licensing system starting January 2014. She requests reimbursement for mileage and incidentals (lunch, if not provided free) for this training.
- Lynne: The last two business days in September were exceptionally busy, as Pal-Mac school district residents came in to pay their taxes. Local hunters/fishermen were practically non-stop at the counter for sportsmen licenses, Palmyra resident water payments were due those days as well. We processed several million dollars of these payments—just in those two days alone. A special thanks to Irene, Celeste and Joan for working practically non-stop, efficiently and pleasantly during those busy, busy days!
- Lynne: Spoke with staff about procedural items—such as staying on task in the office, taking care of personal items out of the office, accuracy of time sheets—reminding staff of Town policy.
- Lynne: Prepared agendas for two Town Board meetings in October, while completing the September 26<sup>th</sup> meeting minutes, along with the October 7<sup>th</sup> meeting minutes, for approval tonight.
- Lynne: Prepared Proclamation honoring Lyman Kaller for tonight's meeting. This required use of ApplicationXtender to find references where Lyman's name was used in past years. Also researched past Oath of Office books for various positions he held.
- Lynne: To continue with Town Board's request for numbers of hunting/fishing licenses sold in the Clerk's office, the last two business days of September we sold 23 licenses, totaling \$1283. The first 23 days of October, we've sold 33 licenses, for a total of \$1,103. Since last Board meeting, we've taken in \$2,386.

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

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

- *Lynne: Follow-up in October of Resolutions 19 & 20—sharing of court costs with village, school, and county—need various Board approvals and signatures to complete; sent by Certified Mail letters for NYS Courts' request, attorney retainer agreement, and official notice of Assessor's reappointment.*
- *Celeste: APPLICATION XTENDER Digitization and Scanning Project: Organizing records and preparing logs to identify and complete Word to PDF to OCR file conversion of existing vital records using Application Xtender and Town Clerk's Electronic files.*
- *Celeste: Requested and received electronic PDF files for Marriage, Death, and Birth from Registrar prior to final filing. This will be an on-going process that allows us to start updating AppXtender as the records are created. This will be done along with processing prior records.*
- *Celeste: I recently timed accessing a marriage record using AppXtender and printed it on "safe paper" for processing by the registrar. It took less than 2 minutes to locate and print. There was no need to go to the safe, pull the book out, find the document, take it to the printer, load the "safe paper" and finally print it off. Unfortunately, not all our records have been updated to a searchable format and some may take longer to locate. This is an active project and has precedence for completion as soon as possible.*
- *Celeste: Scanned vital records using OCR (Optical Character Recognition): (2009 to current) Death - Village and Town; Birth - Marriage - Burial - Minutes: Scheduled for completion mid-November.*
- *Irene: Tax collection continues but at much gentler pace...until last week of October...then pace will pick up again. So far, all "in lieu of" taxes from large businesses have been collected (\$417,624.73), as well as \$12,498,089.19 of total regular tax amount. That leaves a possible \$1,557,989.75 to be collected in this last week. First week of November, I will have numerous reports to prepare for school, as well as for Wayne and Ontario counties.*
- *Irene: Vital records filed, scanned Sept. and Oct. vitals for Celeste's Records Management project, made bank deposits, balanced accounts, genealogy, marriage, death and FOIL requests this month.*
- *Irene: Dog renewal notices sent out, plus late-renewal letters.*
- *Irene: Organizing escrow information from mortgage lenders, and coordinating information with Assessor's office for Town/County tax collection, which starts Jan. 1.*

**Highway Committee – James Welch, Chairman**

1. **October Highway Report:** Superintendent Mike Boesel submitted the following report From September 26 to October 24, 2013:

**OCTOBER  
HIGHWAY  
REPORT**

*Highway Superintendent Report  
For Town Board Meeting 10/24/13*

Since the 9/26/13 Town Board meeting we have completed the following:

- **Intermunicipal Assistance**
  - 10/4/13 - 2 Palmyra crew w/Vac Truck assist Wal Hwy sweeping Wal Town Hall
  - 10/9/132 - Palmyra crew assist with milling operation on West Foster Street in Village
  - 10/15/13 - Palmyra crew assist with paving operation on West Foster Street in Village
  - 10/17/13 - Palmyra skidsteer/mill/operator to Williamson for milling assistance
  - 10/23/13 - Palmyra skidsteer/mill/operator to Williamson for milling assistance
- **Under drain Installations** – We completed the installation of some 6" under drains to assist with drainage issues on Goldsmith Road and DeSmith Road.
- **Brush Mowing**– We continue to brush mow with our excavator and are nearing completion of Hazen Lane. We intend to continue brush mowing and tree trimming operations as time permits thru the rest of the year and as the winter season permits.
- **Winter Preparations** – We recently re-installed all our plow frames on the trucks. Today we installed the salter in one of our trucks and will slowly continue to do so over the next few weeks. We also started hauling some sand today.
- **Generator Grant** – I continue to work on our grant submission and our online application is due next week. This morning, I participated in a 1.5 hour webinar on the computer regarding how to complete the application.
- **Training** - On 10/22/13 the entire highway crew attended Safety during Snow & Ice Removal Operations at the Marbletown Fire Dept. This free seminar was paid for and sponsored by our insurance carrier, NYMIR, with trainers from Ground Force Training.
- **Hogback Road – Dolomite Tunnel Proposal** – Dolomite recently submitted response comments to our initial review of their proposed project. Yesterday, I met with our Town Engineer, MRB Group, at the project site. This morning I received MRB's review comments for discussion at our meeting tonight. It is also my opinion that the Town Board should discuss the need for our Town Attorney to review and comment.
- **Schilling Road** – Max Albertson Property Follow-up – At Mr. Albertson's request, the NYS DEC visited the site on 10/15/13 and flagged the boundary of the wetland on his property with pink ribbons. Upon my inspection, it appears the former drive lane that Mr. Albertson wants to re-construct falls within the 100-foot wetland buffer. I have been in communication with Matthew Griffiths from NYS DEC and understand that the results of their delineation and next step will be forwarded to Mr. Albertson soon.

**OCTOBER  
HIGHWAY  
REPORT**

- 2. **Dolomite Tunnel Proposal Under Hogback Hill Road:** A letter from MRB Group, dated October 24, 2013, concerning the "Proposed Conveyor Pipe Under Hogback Hill Road" listed 17 considerations after reviewing the information from Dolomite and responses by A.L. Blades to initial comments.

DOLOMITE  
TUNNER  
PROPOSAL  
UNDER  
HOGHBACK HILL  
ROAD

Discussion included what the dollar amount is. Mike said there is none right now. He also recommends the Town let MRB run its legal course. Mike also conferred with Manchester and Arcadia, as well as the DOT in Newark for background and information. Ken said he's not against this project, but that he only wants it to be done properly.

The MRB Proposal letter is included with these minutes as Attachment A.

ATTACHMENT A

- 3. **Palmyra Street Lights Request:** Mike Boesel said there are quite a few street lights in the Village, as well as around the Town, that aren't working properly. His crew is noting which ones they see that need attention. Mike then asked those present if they would contact the Highway Department if they find street lights, particularly at Town road intersections, that are having problems.

PALMYRA  
STREET LIGHTS  
REQUEST

**Planning and Operations Committee**

**--Mike Lambrix, Chairman**

- 1. **Town Planning Board Meeting:** There was no Planning Board meeting in October.
- 2. **Town Planning Board Replacement:** Having read a short resumé from Pam Brown, concerning her previous Town Board and Village Planning Board experience, Mike welcomed Pam and Larry Brown, who attended this evening. He added that her name is on tonight's agenda for approval.
- 3. **Town Hall Items:** **–Outside Lights:** Lights in the parking lot at Town Hall, as well as floodlights all around the building, have been repaired and are in working order. **–Painting the Trim Around the Building:** Town Hall looks fresh and clean, now that the portico—including columns—is painted, along with trim around the building. Some repair work was also done to the trim that had weathered and/or rotted over the years. The new paint is now protecting those areas. **–Ladies'**

NO PLANNING  
BOARD MEETING

TOWNPLANNING  
BOARD  
REPLACEMENT

TOWN HALL  
ITEMS: OUTSIDE  
LIGHTS, PAINT  
TRIM, LADIES  
ROOM REPAIRS

**Room Repair and Painting:** The plaster, in the Ladies Room of the front hallway, had cracked along the outside wall, peeling and separating. A repairman replaced the affected area with drywall, and repainted the walls and door. Councilman Mike Lambrix asked if the Board could revisit the Smoking Policy at the next meeting.

**TOWN HALL  
ITEMS: OUTSIDE  
LIGHTS, PAINT  
TRIM, LADIES  
ROOM REPAIRS**

**Zoning and Assessor’s Office Committee**

**--David Nussbaumer, Chairman**

- 1. **Assessor’s Office Report for October:** Assessor Elaine Herman submitted the following report:

*REPORT TO THE TOWN BOARD  
FROM THE ASSESSOR’S OFFICE  
OCTOBER 24, 2013*

*All three small claims hearings have been held, but I have not heard what the results are from either hearing officer that proceeded over these hearings. It has been a month since those hearings were held, so I should have an answer soon, but last year I didn’t hear for a long time. Information I got this year from both of the hearing officers, whom were both from Monroe County, was that they were not supposed to send the information to either the assessors or the petitioners. They were told this by the Monroe County Clerk despite the fact that the form states that they are supposed to send a copy to both of us as well as the county clerk. I am assuming that this is what has happened again this year, so it may be quite a while before I get the information. The county clerk didn’t get the information out to me for a couple of months. When I get the information, I will pass it along to you.*

**ASSESSOR’S  
OFFICE  
OCTOBER  
REPORT**

*We are still getting STAR information and questions daily. There is a lot of misunderstanding about the reapplication of the Basic STAR. The State is giving wrong answers along with our lawmakers, which is confusing the public even more. We try to make the public understand what is going on, but it is not easy.*

Board members read over the information without comment.

- 2. **Appointment to Board of Assessment Review:** Derwent Jackson’s five-year appointment to the Palmyra Board of Assessment Review ended on September 30, 2013. Since the Board is willing to re-appoint him for another five-year term, and since Derry is willing to serve another five-year term, the Board is prepared to approve his appointment tonight.

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

- 3. **Code Enforcement/Zoning Office Report:** Dan Wooden submitted memo to Town Board members updating them on the status of the 4775 Telliier Road vacant property. In addition, he included information from the 2010 Property Maintenance Code of New York State highlighting items and violations, with photos of the current condition of the house.

CODE ENFORCEMENT/  
ZONING OFFICE  
OCTOBER  
REPORT

4775 TELLIER  
ROAD VACANT  
PROPERTY

He is now taking things step by step: The Town Board authorized him at the last meeting to notify the owner that the house is in violation of current housing codes. Now that the owner has been notified, it's time for him to make repairs. Dan asked the Board to put a "hearing" on the November 26<sup>th</sup> agenda, so the owner can have his say concerning his property. Mike Boesel said his crew has already posted signs on the building notifying that it is unsafe. He plans to board up the lower level windows from the outside to discourage trespassing. Councilman Jim Welch said for Mike to keep track of the expenses involved in this work so they can be forwarded to the owner. Dan Wooden stated he doubts he'll get a response from the owner.

NO OCTOBER  
PLANNING  
BOARD MTG.

- 4. **Town Planning Board Meeting:** There was no meeting of the Town Planning Board during October.

NO OCTOBER  
ZONING BOARD  
MEETING

- 5. **Zoning Board of Appeals Meeting:** There was no meeting of the Zoning Board of Appeals during October.

UPDATE ON  
ITEMS OF LOCAL  
INTEREST

- 6. **Update on Items of Local Interest:** --Status of Building Permits: Dan noted that as of today, the Code Enforcement Office is 47 building permits ahead of last year, representing more than \$4,000 more this year. --Mark's Pizzeria: Dan also told those at the meeting that Mark's Pizzeria is reopening on October 29<sup>th</sup>, just five months after the devastating fire on Main Street. --Garnsey Road Cleanup Effort: the nuisance property was sold at auction to a new owner who is putting up for sale the rusting items left behind from the previous owners.

PERMITS ISSUED  
YEAR TO DATE

- 7. **Permits Issued from Zoning Office:** Dan Wooden, Zoning and Code Enforcement Officer, provided a list of permits issued from January 1, 2013 to October 24, 2013 for Board information.



**INFORMATIONAL ITEMS**

- 1. **Request for Palmyra Town Court Audit Records:** Paperwork dated 4/21/2013 was sent by the Town Clerk to the NY State Unified Court System, at their request, for the Board’s “examination of your local court’s records and a copy of your board resolution acknowledging that the required examination or audit was conducted.” **REQUEST FOR TOWN COURT AUDIT RECORDS**
  
- 2. **Fall 2013 Regional Local Government Workshop in Batavia:** One last reminder to Board members to sign up for attendance at the workshop on November 15. **REMINDER FOR FALL LOCAL GOVERNMENT WORKSHOP**
  
- 3. **Morrison’s Quarterly Payment:** The Town received its quarterly check from Morrison Excavating, Inc. for gravel mined from the Division Street gravel pit **MORRISON’S QUARTERLY PAYMENT**
  
- 4. **Letter Concerning Municipal Dump Contamination:** Marc Carrier wrote a letter to the Town Board concerning “Potential Environmental Contamination from Municipal Dumps and its Correlation to High Occurrence Cancers to Residents Living Near These Sites.” He has several points that he wants addressed: “Understanding the effects of these solid wastes (specifically to groundwater); Having independent appraisal of whether 1.27 acres of landfill (one of the properties in discussion) is worth \$13,600; and Signage at roadside entrance and perimeters to identify solid waste containment sites.” He provides several attachments concerning Coal Ash, groundwater contamination, landfills, waste disposal of electronic garbage, solvents, heavy metals, unlined landfills, and their impact on health to nearby residents. **MARC CARRIER LETTER CONCERNING FORMER MUNICIPAL DUMP CONTAMINATION**
  
- 5. **Public Input:** Comments made here concerned the Reasons to Avoid Regional Plans—part of the Agenda 21 discussion. **PUBLIC INPUT**

**AGENDA ITEMS**

- 1. **Approve: Proclamation for Lyman Kaller’s Service to the Town of Palmyra:** Since the Proclamation had already been presented and graciously accepted by the family of

MTN: APPROVE  
PROCLAMATION  
FOR LYMAN  
KALLER'S  
SERVICE TO  
TOWN

Lyman Kaller, Mike Lambrix made the motion to formally approve the Proclamation of Appreciation.

Second: Dave Nussbaumer                      Vote: 5 Ayes. Carried.

MTN: TABLE  
APPROVAL OF  
TELLIER ROAD  
VACANT  
PROPERTY  
HEARING ON  
11/26/2013

- 2. **Approve: Schedule November 26<sup>th</sup> Board meeting for Tellier Road Vacant Property Hearing:** Deemed premature at this time, This motion, made by Mike Lambrix, was to table this until Dan Wooden gives the okay to hold the hearing.

Second: Dave Nussbaumer                      Vote: 5 Ayes. Carried.

MTN: APPROVE  
PAMELA BROWN  
TO SERVE ON  
TOWN PLANNING  
BOARD TO FILL  
STEVE  
LANDGREBE'S  
UNEXPIRED  
TERM

- 3. **Approve: Planning Board Replacement with Term to End on 12/31/2016:** When Ken Miller said all responses to his requests for information concerning Pamela Brown's service in other town/village positions were "all good," Mike Lambrix made the motion to approve the appointment of Pamela Brown to the Palmyra Town Planning Board, to complete the term of Stephen Landgrebe, which ends on December 31, 2016.

Second: Dave Nussbaumer                      Vote: 5 Ayes. Carried.

Board members then welcomed Pam, who was in attendance this evening, and wished her well on the Planning Board.

MTN: APPROVE  
DERWENT  
JACKSON FOR  
ANOTHER TERM  
ON BOARD OF  
ASSESSMENT  
REVIEW THRU  
9/30/2018

- 4. **Approve: Derwent Jackson to Serve Another Term on the Board of Assessment Review:** Dave Nussbaumer made the motion to approve Derwent Jackson to serve another 5-year term beginning October 1, 2013 and ending September 30, 1918.

Second: Mike Lambrix                              Vote: 5 Ayes. Carried.

MTN: APPROVE  
DEPUTY TOWN  
CLERK TO  
ATTEND DEC  
MANDATORY  
TRAINING +  
REIMBURSE-  
MENT

- 5. **Approve: Deputy Town Clerk to Attend Mandatory Training in New System of Hunting/Fishing Licensing:** The State DEC is changing to a new licensing system January 1, 2014, and each licensing office was required to send someone to attend a training session. Irene will attend on November 7<sup>th</sup>, to meet this requirement. She requests mileage reimbursement + any incidentals she may incur. Todd Pipitone made the motion to approve mileage reimbursement and incidentals not to exceed \$100.

Second: Dave Nussbaumer                      Vote: 5 Ayes. Carried.

6. **Claims and Expenditures:** Dave Nussbaumer made the motion to approve claims and expenditures of Vouchers #1641 through #1740, included in the Abstract of October 2013, totaling \$65,477.73.

**MTN: APPROVE  
CLAIMS &  
EXPENDITURES  
FOR OCTOBER  
2013**

Second: Mike Lambrix

Vote: 5 Ayes. Carried.

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

**MTN: ADJOURN  
MEETING**

Second: Dave Nussbaumer

Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

**ATTACHMENT A: MRB GROUP CORRESPONDENCE  
RE: DOLOMITE – PROPOSED CONVEYOR  
PIPE UNDER HOGBACK HILL ROAD  
MRB GROUP PROJECT NO. 1600,13000.000**

**NEXT TOWN BOARD MEETING:**

**2014 BUDGET HEARING  
THURSDAY, NOVEMBER 7, 2013, 7:00 P.M.  
PALMYRA TOWN HALL**