

**REGULAR MEETING OF THE TOWN BOARD
NOVEMBER 18, 2004**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, November 18, 2004, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, was called to order at 7:30 PM 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
- David Nussbaumer, Councilman
- Kenneth Miller, Councilman
- James Welch, Councilman
- Councilman Michael Lambrix was not present

ROLL CALL

Also present at the meeting were:

- Nelson F. Cook, Palmyra Highway Superintendent
- Todd J. Pipitone, reporter for the *Courier-Journal*
- Tim Wizeman, 3505 Vienna Street, Palmyra
- George R. Victorious, Pal-Mac Government Class student

MEETING ATTENDANCE

Motion was made by Dave Nussbaumer to approve the minutes of the October 28, 2004 and November 4, 2004 meetings of the Town Board.

MTN: APPRV. MINUTES OF 10/28/2004 & 11/4/2004 MTGS.

Second: Ken Miller Vote: 4 ayes

COMMUNICATIONS

1. WCWSA notification of proposed water rate adjustment for 2005: Supervisor Lyon received a memo from the Wayne County Water and Sewer Authority which states that "as of January 1st, 2005, the cost of water within the Western Wayne Service Area of the WCW&SA will be \$3.50 per thousand gallons purchased. This reflects an increase of \$.15 per thousand gallons from the 2004 rate. Customers will be notified of the rate increase on their January bills, with the new rates being reflected in the March/April billing. Please note that the basic service charge will not change for 2005."

MEMO FROM WCWSA ON 2005 WATER RATE ADJUSTMENT

- 2. Cash grant to purchase trees to plant on town property: A letter from the Wayne County Soil & Water Conservation District announcing a cash grant of \$500 "to be used towards the purchase of trees to be planted on town property" was read to board members. Discussion to pursue this grant to plant ornamental trees in front of the Town Hall led to a motion by Ken Miller to accept this offer. Ken will also talk with Roger Weaver, who does the planting and landscaping for Town Hall to determine how best to use these funds.

**MTN: APPLY
FOR \$500 CASH
GRANT FROM
WCS&WD FOR
TREES**

Second: Dave Nussbaumer Vote: 4 ayes

- 3. Village Board endorsement of Town Board SEQR status: At its regularly scheduled meeting of the Village Board of the Village of Palmyra on November 1, 2004, the trustees moved and seconded to consent to the Town serving as lead agency for conducting the environmental review for the proposed Palmyra Comprehensive Plan. Voting was unanimous in the affirmative. The Village Clerk/Treasurer, Alicia Lynch, certified the approval of the following resolution:

**VILLAGE
BOARD
ENDORSES
TOWN BOARD
AS LEAD
AGENCY FOR
COMPREHEN-
SIVE PLAN
SEQR**

WHEREAS, the Town and Village of Palmyra appointed an *ad hoc* committee to prepare a joint comprehensive plan, and

WHEREAS, the *ad hoc* committee has completed its preparation of the proposed comprehensive plan and has submitted the proposed plan to the Town and Village Boards for adoption, and

WHEREAS, before the plan may be adopted by the Town and Village Boards, an environmental review must be completed in accord with the State Environmental Quality Review (SEQR) regulations, and

WHEREAS, both the Town and Village Boards are "Involved Agencies" as defined by the SEQR regulations and it is necessary for one of the boards to serve as the Lead Agency for conducting the environmental review, and

WHEREAS, the Town Board has volunteered to serve as the Lead Agency, has enacted a resolution expressing its intent to do so, and has formally notified the Village of Palmyra of its intent, and

WHEREAS, the Town of Palmyra encompasses the Village of Palmyra and Village residents are also Town residents, it is rational and sensible for the Town Board to serve as the Lead Agency,'

NOW THEREFORE BE IT RESOLVED, that the Palmyra Village Board does hereby consent to the Palmyra Town Board serving as Lead Agency for conducting the environmental review for the proposed action, and the Mayor is hereby directed to notify the Palmyra Town Board of the Village Board's consent.

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Ken Miller, Chairman

Update on various tasks at Town Hall: Ken Miller reported that he has replaced fluorescent light bulbs in various locations around the building and changed all furnace filters. He has arranged to have Charlie Richardson clean out the roof gutters before winter. He is still arranging for snow shoveling of the front sidewalk and entrance steps. It is cumbersome and time consuming for the town highway department to get out of their big snow plowing equipment and hand shovel the sidewalk and entrance steps, especially after a heavy snowfall.

**UPDATE ON
TASKS AT
TOWN HALL**

It was also noted at the meeting that Roger Weaver and crew have replaced the boxwood hedges which lined the sidewalk at the front entrance. They had been severely damaged by ice, snow and rock salt over several years. The new bushes have been surrounded by snow fencing and burlap to protect them this winter.

**NEW BUSHES
IN FRONT OF
TOWN HALL**

Highway Committee – Michael Lambrich, Chairman

1. Hiring of a consultant until an Interim Highway Superintendent is appointed: In the absence of Mike Lambrich, Dave Lyon updated the board on the needs of the Highway Department after Nelson Cook's retirement. He had talked with Nelson to see if he would be willing to help out as a consultant, particularly at times of winter storms, when the department cannot be short-handed and get the snowplowing work done. Nelson has agreed to contract with the town, on an hourly basis, until his successor is on board.

2. Board approval to accept bids for sander body: Nelson Cook would like to purchase a V-Box Stainless Steel Sander body using funds allocated in the 2005 town budget. He would like to advertise for bids until December 7, 2004. Dave Nussbaumer made the motion to allow Nelson to advertise for bids for the sander body.

**AGREEMENT
REACHED TO
HIRE NELSON
COOK AFTER
HIS RETIRE-
MENT AS A
CONSULTANT
UNTIL NEW
HWY. SUPT.
HIRED**

**MTN: HWY.
DEPT TO
ADVERTISE
FOR SANDER
BODY BIDS**

Second: Ken Miller

Vote: 4 Ayes

Planning Committee – James Welch, Chairman

**JOINT TOWN/
VILLAGE
BOARDS MTG.
12/2/2004 FOR
PALMYRA
COMPREHEN-
SIVE PLAN**

Public hearing for the Palmyra Comprehensive (Master) Plan: Jim Welch reported that a public hearing—by the combined town and village boards—for the proposed Palmyra Master (Comprehensive) Plan has been scheduled for Thursday, December 2, at 7 p.m. in the Large Meeting Room of the Town Hall, so there was no report. Copies of the Plan and a summary of the Plan are available at the Town Clerk's office for review.

Zoning Committee – David Nussbaumer, Chairman

No report.

INFORMATIONAL ITEMS

**TOWN CLERK'S
OFFICE RPT.**

1. Report to the Board—Town Clerk's office: A summary of work done during November is highlighted in this month's report, submitted by Deputy Town Clerk Betsy Lewis. She is in the final stages of writing two grant applications for 2005. The deadline is December 1, 2004.

**HISTORIAN'S
REPORT**

2. Historian's Report: Beth Hoad reports she has received a signed book about weavers in Wayne County from the county's beginnings until the 1880s. "Figured & Fancy Weavers of Wayne County" is a publication of the Wayne County Historical Society and includes two Palmyra weavers. The book is available as a reference in the Historian's office.

**SEWER
PROJECT MTG.
FOR SW
QUADRANT ON
12/9/2004**

3. Sewer Project meeting for district residents: Dave Lyon reminded the board of the public information meeting for the Southwest Quadrant Sewer Project which is scheduled for 7:30 p.m. on Thursday, December 9, 2004, at the Town Hall. After the information meeting, the regular meeting of the town board will be held.

AGENDA ITEMS

- 1. Resolution: Contract with Nelson Cook as a consultant until Interim Highway Superintendent is appointed: A copy of the following resolution was provided to each town board member detailing the agreement between the town and Nelson Cook to retain him as a consultant until his successor is hired:

RESOLUTION

WHEREAS, Nelson Cook, Town Highway Superintendent, has elected to retire and has submitted his resignation as of November 26, 2004, and

WHEREAS, the Town has advertised for applicants for the position of Interim Town Highway Superintendent, and

WHEREAS, the Town believes that the Town will be unable to fill the vacancy before December 1, 2004, and

WHEREAS, the period from November 26, 2004 and the date that the position will be filled is a time when the Highway Department needs adequate help and experience in handling the winter storms, and

WHEREAS, the Town has inquired of Nelson Cook if he would be available to assist in the transition period from the date of his resignation until the position of Interim Town Highway Superintendent is filled,

NOW, THEREFORE, BE IT RESOLVED, that the Town shall retain Nelson Cook as a consultant during the period from his resignation until the position of Interim Town Highway Superintendent is filled.

BE IT FURTHER RESOLVED, that the Town Supervisor shall be authorized to consult with Nelson Cook as and when needed, and

BE IT FURTHER RESOLVED, that the Town Board does hereby approve the payment of a fee of \$28.60 per hour as a consultant, and

BE IT FURTHER RESOLVED, that as an independent contractor, Nelson Cook shall be responsible for all Federal and State withholding, compensation and other expenses.

DATED: November 18, 2004

BY ORDER OF THE TOWN BOARD

Dave Nussbaumer made the motion to approve the terms of this resolution between the Town and Nelson Cook.

Second: James Welch

Roll Call Vote:

Dave Lyon—aye

Dave Nussbaumer—aye

James Welch—aye

Ken Miller—aye

**RESOL: RETAIN
NELSON COOK
AS
CONSULTANT
AFTER HIS
RETIREMENT
UNTIL INTERIM
HWY.
SUPERINTEN-
DENT IS HIRED**

**MTN: APPROVE
NELSON COOK
AS
CONSULTANT
UNTIL NEW HWY.
SUPERINTEN-
DENT HIRED**

MTN: APPROVE AGREEMENT WITH COUNTY HWY. DEPT FOR SNOW/ICE CONTROL IN WINTER OF 2004-2005

- 2. Snow/Ice Removal contract between the Town and the Wayne County Highway Department: Each year, we receive an agreement from the Wayne County Highway Department concerning snow and ice control on county roads. Dave Nussbaumer made the motion to approve the agreement between the town and the county highway departments for snow and ice control on county roads for the 2004-2005 winter season. The agreement is included with these minutes as Attachment A.

Second: Ken Miller

Vote: 4 ayes

MTN: APPROVE CLAIMS & EXPENDITURES ON ABSTRACT #71

- 3. Claims and expenditures shown on Abstract #71: Voucher numbers 5670 – 5754 for a total of \$132,061.88. Dave Nussbaumer made the motion to approve the claims and expenditures as shown on Abstract No. 71.

Second: Ken Miller

Vote: 4 ayes

MTN: ADJOURN MEETING

- 4. Motion to Adjourn: At 7:41 p.m., Ken Miller made a motion to adjourn the meeting.

Second: James Welch

Vote: 4 ayes

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

Attachment A: Agreement: Snow and Ice Control on County Roads (2004-2005 Winter Season)

NEXT MEETING:

**THURSDAY, DECEMBER 2, 7:00 P.M., AT PALMYRA TOWN HALL
JOINT MEETING WITH TOWN AND VILLAGE BOARDS FOR
PALMYRA COMPREHENSIVE (MASTER) PLAN PUBLIC HEARING**