

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
JULY 25, 2013**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, July 25, 2013, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following board members were present:

- Kenneth F. Miller, Supervisor
- James Welch, Deputy Supervisor
- Michael Lambrix, Councilman
- David Nussbaumer, Councilman
- Todd J. Pipitone, Councilman

ROLL CALL

Also attending: Code Enforcement Officer Dan Wooden, John Rush, Earl Vanderwall, Don Wilkins, Marc Carrier and Palmyra Highway Superintendent Mike Boesel.

ATTENDANCE

Motion was made by Dave Nussbaumer to approve the minutes of the June 27, 2013 Town Board meeting. Supervisor Miller said the Final Draft, which is before Board members tonight, contains a Section 8 Assessor's roll update, as well as the corrected voucher total.

MTN: APPROVE MINUTES OF 6/27/2013

Second: Mike Lambrix

Vote: 5 Ayes. Carried.

COMMUNICATIONS

Ginna Nuclear Power Plant Shutdown: Ken Miller passed along a notification he had received that said on Wednesday, July 24th, at 2 p.m., there was an unscheduled shutdown.

NUCLEAR POWER PLANT SHUTDOWN

REPORTS OF STANDING COMMITTEES

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

1. **Town Clerk's Office Report for July:**

- ANNUAL REQUEST: Extend Celeste's hours in September—as last year—not to exceed budget line.
- Irene, Celeste and Joan: Thanks for "minding the store" while I was on vacation. I'm glad to hear things ran smoothly. Special thanks to Irene for taking care of the Town Board meeting and follow-up items.
- All four Town Clerk's office employees have now attended the Violence in the Workplace seminars.
- Lynne: Returning back to work, I found a stack of papers and emails waiting. I am now caught up to date on business that transacted during that time.
- Lynne: Eight follow-up letters are still unanswered by legislators, about the Town Board's resolution to repeal the SAFE ACT.
- Lynne: I sent the information to the Wayne County Board of Elections about Proposition #1 on the November ballot—changing the Supervisor's term from two years to four. They responded with a minor change request. The adjusted wording is at their office now and ready to be included on the November 5th ballot. We also received word that both Local Law #2 and Local Law #3 were received and officially filed in the office of the Department of State in Albany.
- Irene: While Lynne was on vacation I continued my usual tasks, as well as the Town Clerk duties of preparing the agenda, resolutions, board packets, minutes, etc. for the Board Meeting, in addition to filling in for any special events at the Town Hall, preparing special mailings, updating calendars, scheduling, following up on any ongoing issues, mailed local laws to NYS, and completed minutes from June 27th meeting.
- Irene: Balanced Town Clerk's checkbook and wrote monthly checks to NYS, made tri-weekly deposits for water and Town Clerk's office, prepared numerous FOIL requests pertaining to Local Law #2, ordered vital record supplies, issued death certificates, many marriage licenses and issued marriage certificates.
- Irene: Prepared various school tax reports as needed for the Pal-Mac CSD. Also, I am working with Assessor's office to update bank codes for tax bills....thanks Joan G.!
- Irene: Provided tasks and worked with 5 Pageant cast members that cleaned the Town Hall. They polished woodwork in Large Meeting Room, washed floors and baseboards throughout Town Hall, vacuumed, etc....even removed huge scuff mark in gymnasium and washed the stage floor as well!
- Irene: Sent usual renewals for dog licensing, as well as bi-yearly "special" letters to locate very late renewals. This is necessary because the postcards do not get returned from the post office if the dog owners have moved.
- Celeste: Processed June 2013 Monthly Cashbook Reports. Everything balanced.

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

- Celeste: Archives: *The increase in rain and humidity this summer has resulted in daily emptying of the dehumidifier in Archives Room A. Archives Room B has a tube that drains from the new dehumidifier into a drainpipe, and doesn't have to be manually emptied.*
- **APPLICATION XTENDER Digitization and Scanning Project:** *Began to research and evaluate Optical Character Recognition (OCR) software applications to find the best fit for our records management needs. My goal is to find a software application that could reside on all three of our PCs. This would allow each of us to create OCR PDFs when electronic versions of files are finalized – i.e., meeting minutes, contracts, resolutions, local laws to name a few. If we get in the practice of creating these when they have been finalized, it will be much easier to import them into Application Xtender in the future. Our biggest hurdle to date has been converting the already-scanned files to an OCR format so that they are searchable. I have been working with Application Xtender users and have been told there are solutions available. Unfortunately, many of these require support costs. I have been fortunate to connect with an end-user at BOCES Monroe County who has volunteered to assist me at no cost. She has agreed to come here and assist me with Application Xtender. We are at a standstill with new scanning until the OCR problem is resolved. I have narrowed my software selection down to either Acrobat or Nuance. Both are excellent. Nuance has been highly recommended by Application Xtender users. Pricing is within our budgeted dollars.*

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

2. **Request for More Hours for Celeste in September:** *As in the past, the request tonight is to increase Celeste's hours during September to an average of 22 hours per week, for the month of September, because of heavy customer and phone service during School Tax collection, issuance of hunting/fishing licenses, and Palmyra water/sewer payments all due in September. Also, the phone requests are unusually heavy for school tax information. Even Joan Shaffer is called in a lot during September—while remaining in her budgeted number of hours.*

**REQUEST MORE
HOURS FOR
DEPUTY CLERK
DURING
SEPTEMBER**

Highway Committee – James Welch, Chairman

1. **July Highway Report:** *Mike Boesel submitted the following report From June 28 to July25:
Highway Superintendent Report
For Town Board Meeting of 7/25/2013*

Since the 06/28/13 meeting we have completed the following work:

- *Ditching/Drainage work – Hogback, Port Gibson, Parker, Cambier, Floodman, Leroy*
- *Inter-municipal Assistance*
 - *7/2/13 & 7/3/13 - 2 Palmyra trucks to WC Hwy for paving Maple Ave.*

Other miscellaneous items include:

- ***Drainage Work & Storm Cleanups*** – *Heavy rain events in early July caused many drainage issues throughout the Town and surrounding communities. We spent the entire week of the 8th – 12th sweeping roads, flushing out pipes and catchbasins and repairing ditchlines. Last week more strong storms required additional road patrols and some cleanup.*
- ***Brush Mowing***– *We have been brush mowing roadsides and trimming the backside of all our guiderails the past several weeks with our excavator. We are currently working in the NW corner of Town but plan to continue working west to east.*
- ***NYS Dept of Labor Inspection:*** - *Earlier this month, after evaluating all our options, we made the decision to cut the hook off of our loader bucket. This, along with a policy update to our outdated Lock-Out-Tag-Out Program, were the remaining issues from our PESH inspection.*
- ***Generator Grant*** – *Over the past couple weeks Karen and I have been working with Stu Brown & Associates on a back-up power grant thru the New York State Office of Emergency Management Hazard Mitigation Grant Program. Both the PMCSD and Village of Palmyra are on board with going after this grant. The application package is due next Thursday, August 1st.*
- ***Fall Highway Conference*** – *Our 84th Annual Fall Highway Conference and Expo is scheduled for September 17-20 in Lake Placid. I am requesting permission to attend at a cost not to exceed \$566.00. This includes three nights and all meals. This is budgeted annually.*
- ***Surface Treating/Wedging*** – *Over the next 30 days we intend to surface treat and/or wedge the following roadways; Floodman, Leroy, Hanagan, Cole, Parker, Goldsmith and Lusk.*

2. **Quaker Road Drainage Request:** Mike was asked about the situation of a homeowner complaining about poor drainage on their property during recent heavy rains. Mike said they recently bought a property where the previous owner had wanted a pond, so water had pooled up. Mike said he talked with the homeowner and did some drainage work.

HIGHWAY
REPORT
FOR JULY

QUAKER ROAD
DRAINAGE
ISSUES UPDATE

Planning and Operations Committee

--Mike Lambrix, Chairman

- 1. **Planning Board Meeting:** Mike Lambrix told Board members there was no Planning Board meeting in July. **NO PLANNING BOARD MEETING IN JULY**
- 2. **Town Planning Board Replacement:** Mike wondered if the Town should advertise in the newspaper. Ken said he would talk with Mike after the meeting about a suggestion. **NO PLANNING BOARD REPLACEMENT YET**
- 3. **Main Street Update by Code Enforcement Officer:** Dan Wooden updated the Board on the demolition and clean-up on Main Street after the fire. Demolition of the affected buildings is complete. The air monitoring and visual inspections will take place tomorrow. He has been at the demolition site all week. **UPDATE ON CLEANUP OF FIRE DEBRIS ON MAIN STREET**

Zoning and Assessor’s Office Committee

--David Nussbaumer, Chairman

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

JULY 23, 2013

It has quieted down in the office. Now we are awaiting the filing of small claims but as of right now there has been nothing filed either here or at the County. During this time we are catching up on the filing and other paperwork that couldn’t be done while we were busy with the update.

I have filed the application to the State for the maintenance aid that the State reimburses the Towns that do updates. I don’t know how much we will get, as that amount is determined by the number of towns that did an update. There is a set amount of money to be divided between all the towns that qualify for the money. We probably won’t see this money for several months, possibly even the first of next year. The limit is \$5.00 per qualifying parcel, but if a lot of towns did updates and qualified we will get less.

On July 11, both Joan and I attended the violence training class that was held in our gym by a State representative.

ASSESSOR’S OFFICE REPORT FOR JULY

**CODE ENFORCEMENT/
ZONING OFFICE
REPORT**

- 2. **Code Enforcement/Zoning Office Report:** Dan Wooden submitted a list of permits issued from January 1st through July 25th.

**ZONING BOARD
MEETING**

- 3. **Zoning Board of Appeals Meeting:** Minutes of the July 11th Zoning Board meeting were available to Board members. There was no comment at this time.

INFORMATIONAL ITEMS

**SHERIFF'S
REPORT**

- 1. **Reports by Sheriff:** Included in Board packets was a copy of the June 2013 Sheriff's Monthly Column report.

- 2. **Palmyra Smoking Policy Update:** Status of proposed Palmyra Smoking Policy—from Village Trustee David Husk, who is assigned to work with Unions:

Due to vacations by several members of negotiating parties, as of July 24, 2013, we are still waiting to meet with Union representatives. Although a meeting date has not been set up as yet, Village attorneys have looked at the proposed policy and sent it on to Union representatives.

Since a Union Representative and two Union heads are looking over the proposal, we have not heard back as of this date.

While the Union may be "stalling," it is the Village Trustees' position not to budge on any of the items in the proposal. If we haven't heard from the Union by this afternoon, we will take the initiative and schedule a meeting for next week.

David Husk

**PALMYRA
SMOKING
POLICY UPDATE**

**FOLDING DOORS
ON GYM**

- 3. **Folding Doors on Gym Update:** Ken said the person who was to prepare a quote for door work/replacement hasn't gotten back to him.

**NY LIFE
INSURANCE
FLYER**

- 4. **New York Life Insurance Flyer:** New York Life Insurance representatives Dominic M. Palumbo and Yvonne Kelly prepared an information sheet of benefits for municipal employees. Ken asked Board members to read it over and get back to him if interested.

5. **Groundwater Monitoring Well Help Sought:** Ken received a request from Jason Grover of the U.S. Geological Survey in Ithaca asking for help the USGS locate "a suitable well location to finalize the statewide groundwater monitoring network." Their "goal is a well location that will not show effects of nearby pumping or surface water influence (not immediately adjacent to a creek or river), as drought severity is one of the primary uses of the data." Ken thought we could find a location in Palmyra that meets these criteria to help out the USGS, at no cost to the Town. No motion was necessary, since the general consensus was positive among Board members.
6. **Changes from Dolomite Group—Palmer and Hogback Hill Roads:** A map of Palmyra areas owned by the Dolomite Group—near Hogback Hill Road, Palmer Road and Whitbeck Road—was provided to Board members with a request to allow construction of a culvert under Hogback Hill Road for a conveyor under the road to conduct mined gravel easily from one pit to another for transporting. All the land in question is owned by Dolomite, who also has mining rights. Jim Welch wanted to know when this pit got approved and where the entrance is to the pit. Dan Wooden said he would check for Jim. Dan added he didn't see any limitations put on this proposed project.
7. **East Palmyra Cemetery Discussion:** Although the Town owns and maintains some cemeteries, the East Palmyra Cemetery has been set up independently, having received several gifts and endowments, with the interest earned to be used for "maintenance and perpetual care." With very low interest rates currently being paid out, the cost for upkeep at this cemetery is more than there is available. There is no way to access the principal of these gifts, so John Rush and Don Wilkins wanted the Board to be aware of the situation and find ways to help out. The only other form of income at that cemetery is \$425 to open a gravesite. Since the Town has no mowers, rather it contracts with the Village for Town Hall maintenance, Ken said we have no equipment to help. Ken added the other "Town owned" cemeteries are on private property—typically family gravesites—that are maintained by the property owners. They are also full, so no more graves have been added, and the upkeep cost to the Town is minimal, if any. Highway Superintendent Mike Boesel said he would "do what we can to help." But in order to be pro-active,

**GROUNDWATER
MONITORING
WELL HELP
SOUGHT**

**CHANGES FROM
DOLOMITE—
PALMER ROAD**

**EAST PALMYRA
CEMETERY
DISCUSSION**

the Town should talk about long-term solutions with the Cemetery Board. John and Don also made it known that suggestions would be welcomed and considered.

- 8. **No EMS Report this Month:** While John Rush did not provide a formal EMS Report this month, he made a few comments about some problems at the county level with trucks going out with not-properly-trained personnel, and that he would be meeting with someone at the county. He added, "they seem to be cooperating, and their response time is good."

NO E.M.S.
REPORT THIS
MONTH

- 9. **Hill Cumorah Pageant Cast Team at Town Hall:** On July 16, a team of 5 adult Pageant cast members did community service at Town Hall. They washed windows, vacuumed in corners and crevices, washed door frames and baseboards around the building, shined pews in the Large Meeting Room, and scrubbed the gym floor and stage. Ken wrote a letter of thanks to the Coordinator. Also, Impact Theatre emailed the Town Clerk commending the team's work in the gym.

HILL CUMORAH
PAGEANT CAST
TEAM AT TOWN
HALL

- 10. **Thank You to Newburgh Heights, Ohio:** Town Clerk Lynne Green wrote a letter of thanks to Trevor Elkins, Mayor of the City of Newburgh Heights, Ohio (and a former Palmyran), thanking him and his Board for the lovely framed resolution concerning our Main Street fire on May 3rd. The Village also received a framed resolution. These were acknowledged at the joint Town/Village Board meeting on June 3rd.

THANK YOU
LETTER SENT TO
NEWBURGH
HEIGHTS, OHIO

- 11. **Public Input:** Once again, Marc Carrier expressed concerns over the closed landfill on Garnsey Road. Ken Miller said he had checked into it and "everything was done properly when it was closed." Marc said he had talked with the DEC and EPA about it, and while he agreed it was "probably closed properly," his concern now is for the "runoff." He added there is a high cluster of cancer on that road—even if the DEC said it was closed properly. Marc also stated the DEC requires the Town to monitor it. At this point, Earl Vanderwall asked Ken, "Where did you get information that it was closed properly?"

PUBLIC INPUT

Supervisor Miller then said he would follow up on this and went on to Agenda Items.

AGENDA ITEMS

1. **Approve Expanded Hours for Deputy Clerk during September:** With the understanding that in September, the workload in the Town Clerk's office expands greatly—receiving School Tax payments, issuing hunting licenses, increased volume of phone calls especially concerning taxes, and Palmyra's water payments due before month-end, the request is made to expand Celeste Finewood's hours. Todd Pipitone made the motion to expand her hours 5 hours per week, during the two pay periods in September, for this seasonal need, and still remain within budget constraints.
- MTN: APPROVE
EXPANDED
HOURS FOR
DEPUTY CLERK
DURING
SEPTEMBER
- Second: Dave Nussbaumer Vote: 5 Ayes. Carried.
2. **Approve Attendance at Conference:** Mike Boesel asked the Board for approval to attend the Fall Highway Conference at Lake Placid, not to exceed \$566. Jim Welch made the motion to approve Mike's request.
- MTN: APPROVE
ATTENDANCE AT
HIGHWAY
CONFERENCE
- Second: Dave Nussbaumer Vote: 5 Ayes. Carried.
3. **Claims and Expenditures:** Dave Nussbaumer made the motion to approve claims and expenditures of Vouchers #1367 through #1468, and Pre-Paid voucher #July 2013-1, included in the Abstract of 6/27/2013 through 7/25/2013, totaling \$74,690.23.
- MTN: APPROVE
PAYMENT OF
CLAIMS AND
EXPENDITURES
FOR JULY
- Second: Todd Pipitone Vote: 5 Ayes. Carried.
4. **Enter Executive Session:** At 7:39 p.m., Dave Nussbaumer made the motion to enter Executive Session to discuss matters of pending litigation.
- MTN: ENTER
EXECUTIVE
SESSION
- Second: Todd Pipitone Vote: 5 Ayes. Carried.
- Exit Executive Session:** At 8:07 p.m., Mike Lambrix made the motion to exit Executive Session:
- MTN: EXIT
EXECUTIVE
SESSION
- Second: Jim Welch Vote: 5 Ayes. Carried.

**MTN: ADJOURN
MEETING**

5. **Motion to Adjourn:** At 8:08 p.m., Jim Welch made the motion to adjourn the meeting.

Second: Dave Nussbaumer

Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

NEXT TOWN BOARD MEETING:

**THURSDAY, AUGUST 22, 2013, 7:00 P.M.
PALMYRA TOWN HALL**