

**PUBLIC HEARING AND  
REGULAR MEETING OF THE TOWN BOARD**

**PALMYRA TOWN HALL  
MAY 26, 2011**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, May 26, 2011, 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 TO THE  
FLAG**

Upon roll call, the following board members were present:

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

**ROLL CALL**

Also attending the meeting: *Wayne Post* reporter Billie Rae Walker; Wayne County Industrial Development Agency Representative Dave Richards, Dave Matthews, Ed Jensen, *The Times of Wayne County* reporter Elizabeth Pray, Jerry Notareschi, Casie Heckman, Tammy Heckman, Chris Heckman, Palmyra Deputy Town Clerk Irene Unterborn, Code Enforcement Officer Dan Wooden and Palmyra Highway Superintendent Mike Boesel.

**MEETING  
ATTENDANCE**

Motion was made by Mike Lambrix to approve the minutes of the April 28, 2011 meeting of the Town Board.

**MTN: APPROVE  
MINUTES OF  
4/28/2011 TOWN  
BOARD MEETING**

Second: Dave Nussbaumer                      Vote: 4 Ayes. Carried.  
Ken Miller abstained as he did not attend the meeting.

Motion was made by Dave Nussbaumer to approve the minutes of the May 10, 2011 meeting of the Town Board.

**MTN: APPROVE  
MINUTES OF  
5/10/2011 TOWN  
BOARD MEETING**

Second: Mike Lambrix                              Vote: 5 Ayes. Carried.

**PRESENTATION**

At 7:03 p.m., Supervisor Miller introduced Dave Richards, from the Wayne County Industrial Development Agency, who would be answering questions about the Small Cities Grant Program, Community Development Block Grant, requested by Pulp Packaging, Inc. of Palmyra.

The following legal notice had been published in The Times of Wayne County, Palmyra's official newspaper, and it had also been posted on the bulletin board at the Town Hall:

**LEGAL NOTICE  
TOWN OF PALMYRA**

**NOTICE OF PUBLIC HEARING  
SMALL CITIES GRANT PROGRAM**

*The Town of Palmyra, New York will hold a public hearing on May 26, 2011, 7:00 PM at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, to discuss the Town's intention to submit an application for the Fiscal Year 2011 Community Development Block Grant (CDBG) under the New York State Office of Community Renewal's Small Cities Economic Development Program.*

*The application will be on behalf of Pulp Packaging, Inc. in the amount of \$200,000. The Grant would allow Pulp Packaging Inc. to purchase and install production equipment at facilities located at 2077 Division Street, Palmyra, NY 14522.*

*The total project cost is estimated at \$2,200,000. No Town match is required. The project, if funded, will make available 40 full time jobs, 21 jobs of which are for low- and moderate-income persons. No displacement of persons will be proposed. It is anticipated that the application will be submitted by June 23, 2011 and the project activities completed by August 31, 2013.*

*All citizens, including those in the project area, are encouraged to attend the hearing to consider the potential impacts and benefits of the proposed project for Pulp Packaging, Inc. and to provide suggestions and comments about the proposed application. The Town will provide information at the hearing to comply with the legislative and program requirements that govern the Small Cities Program.*

*The Town Offices are in compliance with the accessibility standards set forth in the Americans with Disabilities Act. Hearing disabled persons, or those with Limited English Proficiency who wish to attend should call (315) 597-5521 not less than 48 hours before the hearing to make arrangements for an interpreter, if needed. Written public comments will also be accepted.*

**PRESENTATION  
ABOUT SMALL  
CITIES GRANT  
PROGRAM—  
COMMUNITY  
DEVELOPMENT  
BLOCK GRANT  
FOR PULP  
PACKAGING,  
INC.**

**LEGAL NOTICE  
OF PUBLIC  
HEARING**



**COMMUNICATIONS****WAYNE COUNTY  
SHERIFF'S  
OFFICE REPORT**

1. **Wayne County Sheriff's Office Report:** The April report of the Wayne County Sheriff's office listed "Tickets by Town" for the month of January. Although no Palmyra breakdown was sent, the Sheriff's office sent us notice that the Sheriff's Civil Office's new address is: 7376 Route 31 Lyons, New York, 14489.

**"CLERKS  
HELPING AREA  
SOLDIERS"  
CARE PACKAGE  
PROJECT**

2. **Participation in "Clerks Helping Area Soldiers" Care Packages:** A new program was proposed by the Wayne County Clerks/Deputies & Tax Collectors Association, nicknamed CHAS (Clerks Helping Area Soldiers). Town Clerks are asking our employees and communities for help in filling boxes of items donated to the troops overseas. Collection deadline is July 13. A list of suggested items was included with the request. Large boxes will be available to collect the donated items at each town clerk's office. The Association will fill postal boxes and pay the cost of sending the items.

**REPORTS OF STANDING COMMITTEES****Economic Development, Appeals and Town Clerk's Office  
Committee – Todd Pipitone, Chairman****TOWN CLERK'S  
OFFICE REPORT  
FOR MAY**

1. **Town Clerk's Office Report for May:** Councilman Todd Pipitone asked Board members to read the report, with topics that include marriage and dog licensing update, records management, hosting an Archives Seminar in our building, as well as Irene's recap of her workshops at the New York State Town Clerk's Association annual conference in Buffalo, at the beginning of May. This follow-up was requested by Todd Pipitone in March.

Thanks to Dan Wooden, who let Irene borrow the Code Enforcement truck to go to and from the Buffalo conference. Along with the \$250 scholarship received from the Wayne County Town Clerks Association, net cost to attend the conference was less than \$70 to the Town.



**HIGHWAY  
DEPARTMENT'S  
MAY REPORT**

- **Personnel –**
  - o Chris Bratt started back mowing with us on 5/17/11
  - o Gerald East started as a summer laborer with us on 5/17/11
  - o Summer Interns – Nick Eckert and Joel Sapienza started a two-week internship through BOCES with us on 5/23/11.
- **Equipment –**
  - Trailer Purchase –** We budgeted \$7k for a new trailer purchase this year. We sold ours in the Auction last weekend. I am requesting approval to purchase a new 20-ft, 14,000 lbs trailer from Teitsworth Trailers for \$5,375.00.

Any questions, comments or concerns I will be glad to answer.

**TRAILER FOR  
HIGHWAY DEPT.  
DISCUSSION**

2. **Purchase of Trailer for Highway Department:** Included for sale in the auction was a trailer that the Town purchased in 1995. A new trailer would cost \$5,375, according to a quote Mike Boesel provided this evening. \$7,000 had been budgeted for it. Allowing for the \$1,300 received for the sale of the old trailer, purchasing it at \$5,375 comes in quite a bit under budget.

**2011 MUNICIPAL  
AUCTION  
RESULTS**

3. **2011 Auction Results:** This year's auction brought in gross sales of \$3.5 million, up from last year. 128 consigners sold items, with 698 lots being sold. Todd asked about online bidders. Mike said there were 207 registered internet buyers, including some from overseas, with 20 successful purchases. The difficulty with online purchasers, he added, is the delay in picking up their purchased equipment. The sales tax alone for all these auction items is \$28,900.

**Facilities, Operations and Planning Committee  
– Mike Lambrix, Chairman**

**NO PLANNING  
BOARD  
MEETING IN MAY**

**No Planning Board Meeting:** Mike Lambrix informed the Board members that there was no Planning Board meeting in May.

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

1. **Assessor's May Office Report:** Assessor Elaine Herman reported that May 24<sup>th</sup> was Grievance Day. Members of the

Board of Assessment Review completed their review of 8 parcels, so no additional day was necessary. She scheduled a meeting with BAR members before Grievance Day to answer questions they might have. She also reports that STAR savings on school tax bills are now being capped at 2% of what 2010-2011 amounts were.

**ASSESSOR'S  
REPORT FOR MAY**

- 2. **Code Enforcement/Zoning Office May Report:** Code Enforcement Officer Dan Wooden provided Board members with the list of permits issued during May, along with an update on Manufactured Home Park Annual Permits. Canalside Estates, Pine Tree Park, Valley View Park and Trolley Road Park are in compliance, and "in pretty good shape."

**CODE  
ENFORCEMENT/  
ZONING OFFICE  
MAY REPORT**

Dave Nussbaumer made the motion to approve the 2011-2012 annual permits of the four compliant Manufactured Home Parks.

**MTN: APPROVE  
2011-2012 MOBILE  
HOME PARK  
PERMITS FOR  
CANALSIDE  
ESTATES, PINE  
TREE, VALLEY  
VIEW AND  
TROLLEY ROAD  
PARKS**

Second: Mike Lambrix                      Vote: 5 Ayes. Carried.

Those yet to be approved are Marquart Mobile Village and Maple Creek Park. Dan said there are some property violations in the remaining parks, but the Town needs to decide "how to handle non-compliers."

- 3. **No Zoning Board Meeting:** Dave Nussbaumer informed the Board members that there was no Zoning Board meeting in May.

**NO ZONING  
BOARD MEETING  
IN MAY**

- 4. **"Hare Scramble" Update:** Dan also reported that he had received the insurance forms from Bark Busters, which are needed before the "Hare Scramble" event on June 5.

**BARKBUSTERS'  
INSURANCE FORM  
RECEIVED**

- 5. **Staff Resignation:** Part-time Assistant in the Code/Zoning Office, Denise Sellers, submitted her resignation on May 16<sup>th</sup>, giving her two-week notice. Dan Wooden told Board members he doesn't plan to replace her for the present.

**PART-TIME STAFF  
RESIGNATION**

**INFORMATIONAL ITEMS****PALMYRA  
COMMUNITY  
LIBRARY OPEN  
HOUSE**

1. **Palmyra Community Library Open House:** Board members are invited to the Palmyra Community Library's Open House at their new location at 402 East Main Street—still in the process of being renovated—on Sunday, June 5<sup>th</sup>, 1 – 4 p.m.

**PALMYRA  
COMMUNITY  
LIBRARY BOARD  
MEETING  
MINUTES**

2. **Palmyra Community Library Meetings:** Minutes from the Board meetings of the Palmyra Community Library for February 17, March 17 and April 21 were included in Board members' packets.

**SERVICES  
VOLUNTEERED  
AROUND TOWN  
HALL FOR HILL  
CUMORAH  
PAGEANT CAST  
VOLUNTEERS**

3. **Volunteers from Hill Cumorah Pageant Available This Year:** Each year, cast members from the Hill Cumorah Pageant volunteer their services to community organizations during several afternoons in July. The Town received a letter offering cast members to work around Town Hall on projects useful to the Town. Board members asked Town Clerk Lynne Green to manage the projects. Lynne asked Board them to let her know what projects they would like to see worked on.

**NO PUBLIC  
INPUT**

4. **Public Input:** Although there were members of the public at the Board meeting, no issues were brought up at this time by them.

**AGENDA ITEMS****MTN: APPROVE  
PURCHASE OF  
TRAILER FOR  
HIGHWAY DEPT.**

1. **Approve Purchase of 2011 Trailer:** Since this budgeted purchase request was discussed earlier in this meeting, Dave Nussbaumer made the motion to approve the purchase of a 2011 trailer for the Highway Department, not to exceed \$5,375.

Second: Mike Lambrix

Vote: 5 Ayes. Carried.



- 2. **Resolution: Join Wayne County Cable Council:** Although a Representative and an Alternate to the Wayne County Cable Council were approved at the April 12, 2011 meeting, no resolution had been made for the Town of Palmyra to join the Wayne County Cable Council "to operate public, educational and governmental access, and provide liaison to the franchise and others...."

Todd Pipitone made the motion to approve the following resolution at this time:

**RESOLUTION**

**JOIN THE WAYNE COUNTY CABLE COUNCIL**

*WHEREAS, the Town of Palmyra designates the Wayne County Cable Council as the Administrative Entity for Public, Educational, and Governmental Access as required by New York State Public Service Commission Rules; and*

*WHEREAS, the Town Board of the Town of Palmyra designates the Wayne County Cable Council to operate Public, Educational, and Governmental Access, and provide liaison to the franchise and others as required for the purpose; and*

*WHEREAS, the Town Board of the Town of Palmyra designates the Wayne County Cable Council to coordinate administration of the franchise agreement with the other participating towns and villages of Wayne County; and*

*WHEREAS, the Town Board of the Town of Palmyra has appointed a Representative and an Alternate to the Council, who are authorized to vote on its behalf on matters of franchise administration and administration and operations of Public, Educational, and Governmental Access;*

*NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Town of Palmyra understands that funding for the administration and operations of Public, Educational, and Governmental Access is not yet determined and that the Council will seek funding sources that may include but are not limited to: School Districts, franchise fees paid to the Towns and Villages, the Wayne County Board of Supervisors, grants, and public fund raising;*

*AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra adopt this Resolution.*

*Dated this 26<sup>th</sup> day of May 2011.*

Second: Dave Nussbaumer      Vote: 5 Ayes. Carried.

**RESOLUTION:  
JOIN WAYNE  
COUNTY CABLE  
COUNCIL**

**MTN: APPROVE  
RESOLUTION TO  
JOIN WAYNE  
COUNTY CABLE  
COUNCIL**

MTN: EXTEND AGREEMENT WITH WAYNE COUNTY BUSINESS COUNCIL TO LEASE OFFICE SPACE AT TOWN HALL

- 3. **Office Lease at Town Hall with Wayne County Business Council:** The current lease between the Town of Palmyra and the Wayne Council Business Council for one room of office space, expires in June. Mike Lambrix made the motion to extend the current office lease agreement for another three years, to expire June 30, 2014. The Board of Directors of the WCBC has also approved this extension.

Second: Todd Pipitone                      Vote: 4 Ayes. Carried.

A copy of this lease agreement is attached with these minutes as Attachment A.

MTN: APPROVE COLLECTION BOX FOR ITEMS COLLECTED FOR AREA SOLDIERS SERVING OVERSEAS

- 4. **"Clerks Helping Area Soldiers" Project Collection Box:** The Wayne County Town Clerk's Association decided to collect items for shipping to soldiers from this area who are serving overseas. A list was provided of suggested items, and a collection box was requested to be put in the Town Clerk's office until mid-July. Mike Lambrix added he thinks collecting these things is a good idea. Todd Pipitone made the motion to approve a collection box for these items prior to shipping.

Second: Dave Nussbaumer                      Vote: 5 Ayes. Carried.

MTN: ACCEPT STAFF RESIGNATION IN CODE/ZONING DEPARTMENT

- 5. **Accept Staff Resignation:** Dave Nussbaumer made the motion to accept the resignation of Denise Sellers, the part-time Assistant in the Code Enforcement/Zoning Office, two weeks after May 16, 2011.

Second: Mike Lambrix                      Vote: 5 Ayes. Carried.

Ken Miller asked that Code Enforcement/Zoning bring their needs and recommendations for replacement to the Board meeting on June 23<sup>rd</sup>.

MTN: APPROVE ABSTRACTS #215 & #216

- 6. **Approve Claims & Expenditures on Abstracts #215 and 216:** Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #215, that includes Voucher Numbers 12238 through 12246 for \$93,332.02 and Abstract #216, that includes Voucher Numbers 12247 through 12323 for \$49,321.10.

Second: Todd Pipitone                      Vote: 5 Ayes. Carried.

- 7. **Motion to Enter Executive Session:** At 7:29 p.m., Dave Nussbaumer made the motion to enter Executive Session to discuss matters of personnel.

**MTN: ENTER EXECUTIVE SESSION**

Second: Jim Welch                      Vote: 5 Ayes. Carried.

- 8. **Motion to Exit Executive Session:** At 7:46 p.m., Dave Nussbaumer made the motion to exit from Executive Session.

**MTN: EXIT EXECUTIVE SESSION**

Second: Mike Lambrix                      Vote: 5 Ayes. Carried.

- 9. **Motion to Adjourn:** At 7:48 p.m., Todd Pipitone made the motion to adjourn the meeting.

**MTN: ADJOURN MEETING**

Second: Jim Welch                      Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

**ATTACHMENT A:** Extension of Office Lease at Town Hall with Wayne County Business Council through June 2014

**NEXT TOWN BOARD MEETING**  
**THURSDAY, JUNE 23, 2011, 7:00 P.M.**  
**PALMYRA TOWN HALL**