

**REGULAR MEETING OF THE TOWN BOARD
AUGUST 26, 2004**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, August 26, 2004, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, was called to order at 8:00 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
- Councilman Michael Lambrix was not present
- Councilman James Welch was not present

ROLL CALL

Also present at the meeting were:

- Kirk Nielsen, 3007 Newark-Marion Rd.
- Beth Hoad, Palmyra Historian, 4839 Tellier Rd., E. Palmyra
- Sylvia Harding, 4702 N. Creek Rd., E. Palmyra
- Christopher J. Valcore, 3172 Rt. 88 North, Newark
- Nelson F. Cook, Palmyra Highway Superintendent
- Carol Austin, *Canandaigua Daily Messenger* reporter
- Todd J. Pipitone, reporter for the *Courier-Journal*
- Deb Harris, Palmyra
- Mel Dickinson, Palmyra
- Don Reeners, 889 Port Gibson Rd.
- Joanne Reeners, Macedon
- Lissa Rail-Cicero, 993 Floodman Rd.
- Bob Grier, Palmyra Code Enforcement/Zoning Officer

MEETING ATTENDANCE

Motion was made by Dave Nussbaumer to approve the minutes of the July 29, 2004 meeting of the Town Board.

**MTN: APPRV.
MINUTES OF
7/29/2004 MTG.**

Second: Ken Miller

Vote: 3 ayes

Councilman James Welch entered the meeting at 8:06 p.m.

COMMUNICATIONS**MEMO FROM
WCS&WCD RE
COLE RD.
DRAINAGE
PROJECT WORK**

1. Courtesy Memo from Wayne County Soil & Water Conservation District: Town Clerk Lynne Green read a memo from Robert K Williams, District Manager, which informs Palmyra of maintenance work on the Cole Road Drainage Project, along the east side of Parker Road, between Cole Road and Jeffery Road. Funding is provided by the Wayne County Board of Supervisors through the Agricultural Group Drainage Program. later this year.

**MUNICIPAL
WATER
REQUEST FROM
RESIDENTS OF
NEWARK-
MARION RD.**

2. Municipal Water request for Newark-Marion Road: Letter was received from NY State Senator Michael F. Nozzolio in response to a request by Kirk Nielsen, 3007 Newark-Marion Rd., to obtain "municipal water service for his home and his neighbors' homes" along Newark-Marion Road. His letter of August 5 concludes, *"On behalf of Mr. Nielsen and his neighbors, your willingness to afford their request every possible consideration will be deeply appreciated."*

Kirk Nielsen, who was in attendance at this board meeting, had also written a letter, dated August 19, to the members of the Palmyra Town Board. Nielsen's letter details his struggle with poor water on his property. He presented Town Clerk Green a jar partially-filled with dirty water, which he had taken from his kitchen faucet. He also provided results of water tests he had paid for, which were conducted by Midstate Environmental Laboratories in Clifton Springs. The Analysis Report concludes: *"This water is NOT bacteriologically potable as per Section 225 of the Public Health Law, Part 5 of the New York State Sanitary Code."*

In addition, Nielsen had taken a petition to his neighbors: *"We, the undersigned, support efforts to secure a position in the formation of a water district, which would include the area of Newark-Marion Road north of the end of the current municipal water line."* It is signed by 5 residents of Newark-Marion Road.

All of the above are added to these minutes as Attachment A.

**PETITION TO
OPPOSE S.U.A.
MODIFICATION
FOR EXPANDED
HOURS AT
ULTIMATE
RECYCLED
PLASTICS**

3. Petition to oppose modification of Special Use Authorization for Ultimate Recycled Plastics: Petition was received, dated August 19, 2004, from Lissa Rail-Cicero, on behalf of 9 residents in the Floodman Rd. and East Palmyra-Port Gibson Rd. area closest to Ultimate Recycled Plastics. The petition details reasons why they wish to oppose the request to

expand the operating hours at Ultimate Recycled Plastics. They include noise, increased traffic, one-lane bridge approaching the manufacturing plant, disruption to wildlife, and possible negative impact on the proposed Erie Canalway trail and area property values.

The petition is added to these minutes as Attachment B.

- 4. MRB letter concerning Garnsey/Shilling Area Water District: Letter dated August 19 was received from Martin Mroczek, P.E. of MRB Group, a Certification of Completed Works for Shilling Road, Goldsmith Road, Lusk Road and Harris Road "portion of this water project was installed, pressure tested and disinfected according to the plans and specifications...." Bacteriological test results show water is safe for use by area residents. In essence, this completes the water line installation project. Individual property hookups continue as homeowners complete hookup procedures.

COMPLETION OF WATER LINE INSTALL OF GARNSEY/SHILLING AREA WATER DISTRICT ON SHILLING, GOLDSMITH, LUSK & HARRIS RDS.

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Ken Miller, Chairman

Update on various tasks at Town Hall: In addition to fresh white paint on the trim of the building front, black enamel was painted on the glass panels of the windows sealed off by construction of Archives Room B. The black paint is more attractive than viewing the grey drywall. Ken Miller has shored up various points of an unsafe pew which had been damaged when the building changed hands in 2001.

UPDATE ON REPAIRS AND MODIFICATION AT TOWN HALL

He also mentioned he has requested quotes for roof work at Town Hall. At this point it is unclear whether repairs can be made or if it will need to be replaced.

Highway Committee – Michael Lambrix, Chairman

- 1. Update on Goldsmith/Shilling/Lusk intersection reconstruction project: Nelson Cook's highway crew expects to complete the gravel base tomorrow on Shilling Road and put the finish coat on Tuesday—barring rainy weather conditions. The target date for completion is by the time the busses need to use the roads

RECONSTRUCTION UPDATE GOLDSMITH/SHILLING/LUSK INTERSECTION

for school children pickup. After the road is done, there will still be ditching and shoulder work to complete.

MAN: APPRV
JACOB HILTON
NEW HIRE FOR
HIGHWAY
DEPT.

2. New hire for highway crew to replace retired worker: Cook reported there were 34 applications for the job opening. The six most promising finalists were interviewed. The recommendation to the board was to hire Jacob Hilton, of Barnes Rd. in Macedon, to fill the vacancy, at a starting salary of \$14.50 per hour, effective September 7. When asked how this compares to the pay with the rest of the crew, he said it is at 80% of their pay. Ken Miller made the motion to approve Jacob Hilton for this position at a starting rate of \$14.50 per hour.

Second: Dave Nussbaumer

Vote: 4 ayes

Planning Committee – James Welch, Chairman

PUBLIC
HEARING FOR
PALMYRA
COMPREHEN-
SIVE (MASTER)
PLAN
SCHEDULED

Public hearing for the Palmyra Comprehensive (Master) Plan: The first public hearing—by the Master Plan Committee—for the proposed Palmyra Comprehensive Plan is scheduled for Thursday, September 9, at 7 p.m. in the Large Meeting Room of the Town Hall.

(NOTE: Since the town board meeting, the Master Plan meeting has been rescheduled for Thursday, October 7, at 7 p.m., in the Large Meeting Room of the Town Hall.)

Zoning Committee – David Nussbaumer, Chairman

CEO MONTHLY
REPORT

1. Code Enforcement Officer's monthly Update: CEO Bob Grier submitted a report dated August 26, which includes information on building permits and open complaints. There were no inspections included in the CEO report, as there were problems with the printer.

SPECIAL USE
PERMIT—
CHRISTOPHER
VALCORE
AUTO SERVICE
& SALES

2. Special Use Permit request by Christopher Valcore—follow up: A list of conditions had been drafted by a committee which included Dave Lyon, Dave Nussbaumer, Mike Lambrix and Bob Grier. The list is similar to other special use permit conditions for this type of business. Since there were questions about the conditions, it was agreed that the principals would set up a time to meet together.

- 3. Ultimate Recycled Plastics permit modification issues: Dave Nussbaumer spoke on behalf of the zoning committee saying that it was decided to refer Don Reeners back to the original Special Use Permit conditions for the next 30 days. If the original conditions are complied with during that time, the committee would consider taking a look at his request for extended business hours. Bob Grier was asked to inspect and follow up on any complaints.

SPECIAL USE PERMIT MODIFY—ULTIMATE RECYCLED PLASTICS—30 DAYS WITH CURRENT CONDITIONS

INFORMATIONAL ITEMS

- 1. Report to the Board—Town Clerk's office: A summary of work done during August is highlighted in this month's report, submitted by Deputy Town Clerk Betsy Lewis. Celeste Fine-wood has completed her time replacing Joan Gates in the Town Clerk's office. Joan is back to her original schedule of half days at the Assessor's office and half days at the Town Clerk's office. We appreciate Celeste's substituting for Joan while the assessor needed Joan full-time.

RPT TO THE BOARD FROM TOWN CLERK'S OFFICE

Archives grant funds are now being used to purchase the equipment they were approved for. Later this year, two more grants will be submitted for the upcoming year.

Sporting license sales have picked up dramatically in August. The last week of August will see finalizing of school tax bills and readying them for the post office, to be sent out August 31. Taxes are collected for the school district during September and October.

- 2. Assessor's Report: Assessor Elaine Herman reports there are 12 small claims hearings scheduled which challenge the new assessment values.

ASSESSOR'S MONTHLY REPORT

She successfully completed the coursework for basic certification as a State Certified Assessor and received official notification from the Office of Real Property Services in Albany.

- 3. Historian's Report: Palmyra Historian Beth Hoad attended the Annual Regional Preservation Conference sponsored by the Landmark Society of Western New York. She arranged to have one of the speakers visit Palmyra and meet with townspeople for a day, then give a "visitor's" perspective of Palmyra. Also, on August 7, a new grave marker was

HISTORIAN'S REPORT

**PRESENTATION
OF NEW BOOK
TO TOWN**

dedicated at a ceremony at the old Durfee homestead on North Creek Road. Descendants of the Durfees gathered to memorialize their ancestors, early settlers of Palmyra.

Beth has co-authored a recently-published book, with Sylvia Harding, entitled: "East Palmyra Remembered." A complimentary copy of the book was presented to the town by the authors. Dave Lyon accepted the book with gratitude. The copy will be kept in the historian's office. Dave Nussbaumer made the motion to accept the gift on behalf of the town.

**MTN: ACCEPT
GIFT OF BOOK**

Second: Ken Miller

Vote: 4 ayes

**CANALTOWN
DAYS PARADE**

4. Canaltown Days Parade: The form for participating in the Canaltown Days parade on Saturday, September 18, must be turned in to the parade chairman now. A poll was taken of board members, and it was decided that town officials will not have an entry in this year's parade.

**RESIDENT
RESPONSE TO
SEWER
SERVICE
SURVEY**

5. Resident response to sewer service survey: In August, a survey was sent to residents of the Maple Avenue, Meadow Drive, Bonnie Brae Way, Bonnie Lane, and Wheel-In-Circle area to see if there was sufficient interest in offering municipal sewer service to residents. As of August 26, 85 responses had been received (of the 149 sent out), with 58 indicating Yes, 23 No, and 2 Maybe. Responses continue to be received. Dave Lyon suggested that a follow-up survey be sent to those who have not yet responded. The Town Clerk's office will do this and tally the responses.

**MTN: APPRV
S.U.A. FOR
CHRISTOPHER
VALCORE
AFTER
MEETING WITH
COMMITTEE**

6. Valcore Auto Service and Sales: Since the town board meeting was short, discussion turned to the conditions listed for Christopher Valcore's Special Use Permit. It was decided that right after the meeting, board members Jim Welch and Dave Nussbaumer would meet with those involved in this business and come to an agreement on terms. It appeared that only minor changes would be needed. Dave Nussbaumer made the motion to approve the Special Use Authorization if minor changes are agreeable to all. If there is no agreement, or there are significant modifications, issues will be addressed at next month's town board meeting.

Second: Ken Miller

Vote: 4 ayes

AGENDA ITEMS

Claims and expenditures shown on Abstract #68: Voucher numbers 5414 - 5481 for a total of \$189,977.66. Dave Nussbaumer made the motion to approve the claims and expenditures as shown on Abstract No. 68.

**MTN: APPRV
ABSTRACT
#68**

Second: Ken Miller

Vote: 4 ayes

Dave Lyon abstained on Voucher 5446.

Motion to Adjourn: At 8:25 p.m., Dave Nussbaumer made a motion to adjourn the meeting.

**MTN:
ADJOURN
MEETING**

Second: Mike Lambrix

Vote: 4 ayes

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

Attachment A: Municipal Water request for Newark-Marion Road

Attachment B: Petition to oppose modification of Special Use Authorization for Ultimate Recycled Plastics

(All Board members received copies of all three Fire Department contracts.)

NEXT MEETING:

THURSDAY, SEPTEMBER 23, 8:00 P.M., AT PALMYRA TOWN HALL