

REGULAR MEETING OF THE TOWN BOARD

**PALMYRA TOWN HALL
JUNE 28, 2012**

At 7:02 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, June 28, 2012, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York.

CALL TO ORDER

As prescribed by law, a copy of tonight’s agenda was posted on the Town Hall bulletin board before the meeting, available for all to read.

**AGENDA
AVAILABLE TO
PUBLIC**

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 Welch, Deputy Supervisor
David Nussbaumer, Councilman
Todd J. Pipitone, Councilman
Councilman Michael Lambrix was excused.

ROLL CALL

Also attending: Jason Bliss, Scott Mouton, Susie Greeley, Betsy Pray—reporter for *The Times of Wayne County*, and Highway Superintendent Mike Boesel.

**MEETING
ATTENDANCE**

Motion was made by Dave Nussbaumer to approve the minutes of the May 8, 2012 and the May 24, 2012 meetings of the Town Board.

**MTN: APPROVE
MINUTES OF
5/8/2012 &
5/24/2012 TOWN
BOARD MEETINGS**

Second: Todd Pipitone

Vote: 4 Ayes. Carried.

COMMUNICATIONS

1. **NY State Department of Transportation Annual Off-Premise Advertising Sign Surveillance:** Notice from the NYS DOT of annual advertising sign surveillance in the Town of Palmyra on Routes 21 and 31. The letter was given to Code Enforcement Officer Dan Wooden for any follow-up.
2. **May 2012 Sheriff’s Monthly Column:** Information was available to Board members, at Supervisor Miller’s request.

**NYS DOT
OFF-PREMISE
ADVERTISING
SIGN
SURVEILLANCE
NOTICE**

**MAY 2012
SHERIFF’S
COLUMN**

REPORTS OF STANDING COMMITTEES

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

TOWN CLERK'S OFFICE JUNE REPORT

1. **Town Clerk's Office Report for June:** Councillman Todd Pipitone suggested Board members read the report, which highlights the tasks and projects the Town Clerk's office worked on in June.

2. **Upcoming Cornell Municipal Clerks Institute:** Town Clerk Lynne Green provided Board members information about the Cornell University Community & Regional Institute's Community Municipal Clerks Institute. This year, they are offering a one-day session for those who cannot attend the full four days. The cost is \$100 for the day plus mileage reimbursement. Course offerings for that day were outlined and funding had been budgeted for it. Town Clerks, Village Clerks, City Clerks and County Clerks who have attended in the past highly recommend the Institute. The one-day session is scheduled for July 11, 2012.

CORNELL MUNICIPAL CLERKS INSTITUTE OFFERS ONE- DAY SESSION FOR TOWN CLERK

Highway Committee – James Welch, Chairman

1. **June Highway Report:** Highway Superintendent Mike Boesel submitted the following report From May 24 to June 28, 2012:

*Highway Superintendent Report
for Town Board Meeting
06/28/2012*

- *Pothole patching and sign maintenance – ongoing on all roads*

- *Inter-municipal Assistance*
 - *5/29/12 – 6/1/12 – 3-4 trucks/day assisting WC Hwy on Maple Avenue shoulder work.*
 - *6/19/12 – 6/21/12 – 3-4 trucks/day assisting WC Hwy for various surface treating projects.*
 - *6/26/12 – 6/28/12 – 2-4 trucks/day assisting WC Hwy for various novachip road projects.*
 - *6/27/12 – 6/28/12 – 1 truck and 3 men assisting Marion Hwy with surface treating projects.*

JUNE HIGHWAY REPORT

Other miscellaneous items include:

- *Harris Road – Last week we paved the south end of Harris Road at North Creek Road with assistance from All-County Construction. I hope to surface treat the rest of the road later this summer.*
- *Port Gibson Road – Earlier this month we removed the guiderail about a mile south of the East Palmyra hamlet and did some shoulder work. Sometime in mid-July we intend to pave back a about 500 LF of the northbound lane, then surface treat the remainder of the road from Hogback to S.Creek, thru the hamlet. Later this summer we will re-install the guiderail.*
- *Jagger Road – We intend to have Jagger Road surface treated this afternoon, working jointly with Marion Hwy.*
- *Red Barn Roof – During a large weather event on the afternoon of 5/29/12, the high winds took down 3 trees on our Town roads. The winds also ripped more of the roof off the lower red barn. Pictures incl.*
- *Training -*
 - *From 6/11/09 – 6/13/09 I attended Annual Highway School in Ithaca, NY. I have been on the Highway School Planning Committee for the past two years. The sessions I attended were as follows: Measuring the Road for Improvement, OGS Vehicle Contracts, Tracking your Equip Operating Costs, Break the Cycle of Damage-Repair-Damage, CHIPs Program Changes, Dig Safely, NY Changes to State Law, Surface Treatment Demo Preview, Cape Seal Demo, Culvert Cleaning-Handmade Solutions, Chainsaw Safety, X-treme Streams & Post Storm Response, Legal & Regulatory Panel, Pavements, Potholes & Preservation, Watershed Management, Hot Topics for Hot Mix Pavements.*
- *Personnel –*
 - *Summer Interns – Zack Smith and Gage Van Hout completed a two-week internship through BOCES with us from 5/21/12 to 6/1/12. They did a great job. We extended Zack another week until 6/8/12 and then hired Zack for the Village summer seasonal position, which he started this week, on 6/25/12.*
 - *Tom Fraser – Tom’s last day working for the Town of Palmyra Highway was 5/30/12.*

**JUNE HIGHWAY
REPORT**

- o *New Hire – We have completed two rounds of application review, which included interviews this past Tuesday night, and I am requesting Town Board approval to hire Michael Woodard, who has been working seasonally for both the Town and Village since 11/27/2000.*

JUNE HIGHWAY REPORT

- *Equipment –*
 - o *Shop Hoist – Our shop hoist recently received its annual inspection. There were some suggested improvements. I am reviewing the quote from Filtrec for this work.*
 - o *Radios – Since receiving approval at the last TB meeting for our radio upgrades this work has been completed and all our radios have been upgraded to be narrow-band compliant.*

RED BARN ROOF AND HOIST DISCUSSIONS

2. **Red Barn Roof and Hoist Discussions:** Mike Boesel said that two photos of the deteriorating roof on the red barn show the situation to be worse this month than ever, due to recent high winds and rains, with holes now in the roof. Mike added that the hoist needs repair also, as a safety measure and to pass inspection. It was decided that Mike would meet with Jim Welch to assess and recommend solutions.

MTN: ENTER EXECUTIVE SESSION

At 7:15 p.m., Councilman Jim Welch made the motion to enter Executive Session for reasons of Personnel.

Second: Dave Nussbaumer Vote: 4 Ayes. Approved.

Mike Boesel was invited to join them in the Supervisor’s office.

MTN: EXIT EXECUTIVE SESSION

At 7:41 p.m., Board members re-entered the Large Meeting Room, and Councilman Todd Pipitone made the motion to end Executive Session

Second: Jim Welch Vote: 4 Ayes. Approved.

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

NO PLANNING BOARD COMMITTEE MEETING IN JUNE

1. **Planning Board Meeting:** There was no Town Planning Board Committee meeting in June.

- 2. **Town Planning Board Member Resignation:** Recently-reappointed Planning Board member Steve Landgrebe sent the Supervisor a letter stating that effective July 7, 2012, he will be resigning his "position as a member of the Palmyra Town Planning Board" due to an upcoming move out of state. **LETTER OF RESIGNATION OF TOWN PLANNING BOARD MEMBER**
- 3. **Planning Board Replacements:** With this resignation, there are now openings at the Town level and at the County level. Supervisor Miller asked Board members to look around for residents who could be considered for these positions. **REPLACEMENTS NEEDED FOR COUNTY AND TOWN PLANNING BOARDS**
- 4. **2012 Planning & Zoning Summer Schools:** Code Enforcement Officer Dan Wooden provided Board members with a copy of the 2012 Planning and Zoning Summer Schools information. Members of these boards have received copies of this flier/registration form, and are required by law to attend training sessions annually. One is scheduled for August 3rd in Fairport. **PLANNING & ZONING SUMMER SCHOOLS**

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

- 1. **Assessor's Office Report for June:** The final Assessment Roll for 2012 will be in the Town Clerk's office by July 1, as prescribed by law. Assessor Elaine Herman attended two classes this month. Her report included the offerings at each session. She will attend a third class as part of this series of training sessions. **ASSESSOR'S OFFICE JUNE REPORT**
- 2. **Code Enforcement/Zoning Office Report:** June CEO Reports were included in Board packets. There were no comments about them. **CODE ENFORCEMENT/ZONING JUNE REPORT**
- 3. **Request for Leased Copier in Zoning office:** Code Enforcement Officer Dan Wooden requests a leased copier from KopyKat—a provider and servicer of Xerox copiers. His request is for a Xerox WorkCentre Pro 123, to replace the smaller copier he now has. Copier information was provided by Dan for Board consideration. **REQUEST FOR LEASED COPIER IN ZONING/CODE ENFORCEMENT OFFICE**
- 4. **Zoning Board of Appeals Meeting in June:** Minutes of the June 14, 2012 Zoning Board meeting were included in Board members' packets. There were no comments. **ZONING BOARD JUNE MINUTES**

**ADDITIONAL
REPAIRS AT
TOWN HALL—
RAMP REPAIR
AND FURNACE
REPLACEMENT**

- 5. **Additional Repairs at Town Hall:** Dave Nussbaumer is concerned about the cracks on the ramp at the South entrance of the Town Hall. This ramp is handicapped-accessible and the railing footings are showing signs of wear. Since this is a safety issue, Supervisor Miller said no motion or approval is needed from the Board. He will see that a qualified mason is called and the ramp and railing are properly repaired.

Ken also referred to upcoming furnace replacement at Town Hall. This is a budgeted item as part of the long-term plan for updating and replacing needed equipment.

INFORMATIONAL ITEMS

**UPCOMING
CONTRACTS
DISCUSSION**

- 1. **Contracts Discussion:** The following contracts will shortly be due: three (3) fire districts, Highway, Code Enforcement. In order to have new contracts in place before the old ones expire, designated Board members should meet with the parties involved and, hopefully, agree on a new contract to present to the Town Board. Mike Lambrix and Todd Pipitone are to talk with each of the three fire departments. Jim Welch is to work with the Highway Department, and Dave Nussbaumer is to meet with Code Enforcement.

**ROUTE 31 EAST
SEWER DISTRICT
RESIDENT
SURVEYS TO BE
DISCUSSED
LATER**

- 2. **Route 31 East Sewer District Resident Survey:** Surveys were sent and received asking Route 31 East residents if they would like sewer service. Although the surveys have been tallied, it was decided to wait to discuss this issue at a future Board meeting.

**FOLLOW-UP ON
STATEWIDE INPUT
ON CURRENT
LAWS,
REGULATIONS**

- 3. **Statewide Input on Current Laws, Regulations--
Follow-Up:** Town Clerk Lynne Green has contacted all department heads—Assessor, Code Enforcement, Highway, Justice—and found that if an employee wishes to change a current law or regulation, to eliminate it or to update it, that person would contact the county or statewide organization that oversees that area and who advocates for that area, and make the complaint or suggestion. No further action was taken at this time by the Board.

- 4. **Palmyra Community Library Information:** Town Board members received copies of the April, May and June Library Board meetings of the Palmyra Community Library. These are for Town Board members' information only, and no action was needed.

PALMYRA
COMMUNITY
LIBRARY
INFORMATION

- 5. **Letter of Support for Planned Village Project:** Town Supervisor Miller was asked by Village Mayor Vicky Daly for Town Board support of a Palmyra project along the Erie Canal: the Palmyra Canalside Nature Park, Phase 2. She is seeking grant funding to demolish an abandoned house at the end of Park Drive, and put in a boat launch ramp and parking lot, near the Box Factory. A joint effort goes a long way in securing grant funding.

LETTER OF
SUPPORT
DISCUSSED FOR
VILLAGE BOAT
RAMP PROJECT

- 6. **Countywide Parks Department Revised Plan:** Supervisor Ken Miller attended an information session put on by the Wayne County Parks Department, to hear about the long-range plan for upgrading parks. Ken said there are ten Wayne County Parks, with Palmyra's Aqueduct Park as the largest. Also, Swift's Landing Park could possibly be upgraded, although to get grant funding, the municipality must have a current Master Plan (Comprehensive Plan). Ken asked Councilman Todd Pipitone to meet with him about updating Palmyra's Master Plan.

COUNTYWIDE
PARKS DEPT.
REVISED PLAN
REPORT

- 7. **Public Input:** There were no comments from the members of the public in attendance at the meeting.

PUBLIC INPUT

AGENDA ITEMS

- 1. **Approve: Resolution #15-2012: Revised Employee Benefits—Sick Days:** Although Town Counsel Paul Rubery had approved the wording of a resolution to redefine and upgrade how and when sick days' accumulation may be used by an employee, Town Board member Todd Pipitone made the motion to approve the resolution and Dave Nussbaumer seconded. However, no vote was taken. The final wording had not been seen by the Board before the meeting. Since this is about revising policy, including family and current benefits, Todd and Dave agreed to change their motion to table the resolution until after further discussion at a future Board meeting. Ken Miller called for a roll call vote:

RESOLUTION
#15-2012:
REVISED
EMPLOYEE
BENEFITS—SICK
DAYS
DISCUSSION

MOTION TO
TABLE VOTE
UNTIL AUGUST
BOARD MTG.

ROLL CALL
VOTE TO TABLE
RESOLUTION
#15-2012

Supervisor Kenneth Miller Yes
Deputy Supervisor James Welch Yes
Councilman David Nussbaumer Yes
Councilman Todd Pipitone Yes
Councilman Michael Lambrix was excused.

Vote: 4 Ayes. Carried.

- 2. **Resolution #16-2012: Modify 2012 Budget to Reflect Lump Sum Sick Leave Payment:** The following resolution is needed to cover unplanned expenses due to the retirement of a long-time Town employee:

RESOLUTION
#16-2012:
MODIFY BUDGET
TO REFLECT
LUMP SUM SICK
LEAVE
PAYMENT

WHEREAS, the 2012 Budget of the Town of Palmyra was prepared and Board approved on November 10, 2011; and

WHEREAS, the Town has incurred the expenditure in a lump sum payment for accumulated sick leave.

NOW, THEREFORE, BE IT RESOLVED, that the DA Highway Fund Expense Account DA9089.801 Lump Sum Sick Leave Pay, be increased by \$10,776.12; and DA9030.800 Social Security, be increased by \$824.38; and that the DA Highway Fund Account DA0599 Appropriate Fund Balance be used in the amount of \$11,600.50.

*BY ORDER OF THE TOWN BOARD
Dated: June 28, 2012*

Councilman Jim Welch made the motion to approve this resolution to transfer the funds and make the payment.

MTN: APPROVE
RESOLUTION
#16-2012

Second: Dave Nussbaumer Vote: 4 Ayes. Carried.

All Board members signed the resolution at this time.

- 3. **Letter of Support for Nature Park in the Village:** Town Board members learned of a grant received by the Village of Palmyra to build a municipal boat ramp into the Erie Canal, at the end of Park Drive. The project would include tearing down of an abandoned house at the water's edge, and the construction of a municipal parking lot there. Mayor Vicky Daly requested a letter of support for this project from the Town Board. Todd Pipitone made the motion to support the Village's Nature Park project by writing a letter as requested.

MTN: APPROVE
LETTER OF
SUPPORT FOR
VILLAGE BOAT
LAUNCH
PROJECT

Second: Jim Welch Vote: 4 Ayes. Carried.

4. **Request for Leased Copier in Code Enforcement Office:**

Dan Wooden submitted a request for a new Xerox copier to replace the smaller copier currently in the Code Enforcement office. While it is a reconditioned machine, the plan "includes the copier, all parts, labor, service call charges, and the toner/drum cartridge. The pricing is \$50.00 per month plus \$.025 per copy for all copies made. There is also a \$75.00 install/deinstall fee charged upon installation." Either party may cancel with a reasonable two-week notice. The 2.5 cents per copy is the same rate as Code is currently paying. Dave Nussbaumer made the motion to approve leasing the Xerox WorkCentre Pro 123 in the Code Enforcement office, plus the \$75 installation fee.

**MTN: APPROVE
LEASING
COPIER IN
CODE
ENFORCEMENT
OFFICE**

Second: Todd Pipitone

Vote: 4 Ayes. Carried.

5. **Resignation from Town Planning Board:**

With the letter of resignation from Steve Landgrebe, Town Board members wanted to wish Steve well as he moves to Pennsylvania. Dave Nussbaumer made the motion to have the Town Clerk write him a letter of thanks on behalf of the Board.

**MTN: APPROVE
WITH REGRET
RESIGNATION
OF STEVE
LANDGREBE
FROM
PLANNING
BOARD**

Second: Todd Pipitone

Vote: 4 Ayes. Carried.

Also requested was that the Town Clerk create a Resolution of Appreciation for Steve, to be approved at the July Board meeting.

6. **Upcoming Municipal Clerks Conference:**

Town Clerk Lynne Green provided the Board information about a Municipal Clerks Institute at Cornell University in Ithaca in July. The five-day session's fee is \$800 for materials, meals, banquet and lodging. This training leads to various levels of competency: Certified Municipal Clerk or Master Municipal Clerk.

This year, for the first time, a one-day course offering is available for Municipal Clerks of all kinds, as well as for elected officials. Lynne's request was to attend the one-day session at \$100, with mileage reimbursement. This has been budgeted.

**MTN: APPROVE
TOWN CLERK
ATTENDANCE
AT MUNICIPAL
CLERKS
CONFERENCE
NOT TO
EXCEED \$200.00**

Todd Pipitone made the motion to approve Lynne's attendance at the Institute, with a cost not to exceed \$200.

Second: Dave Nussbaumer

Vote: 4 Ayes. Carried.

MTN: ACCEPT RESIGNATION OF TOM FRASER FROM HIGHWAY DEPT.

- 7. **Resignation from the Town Highway Department:** Jim Welch made the motion to accept a letter of resignation from long-time Highway employee Tom Fraser. Jim added that the letter should express regret in losing his services, but it also should also express thanks and appreciation from the Board.

Second: Dave Nussbaumer Vote: 4 Ayes. Carried.

MTN: APPROVE REQUEST FOR HIRING NEW HIGHWAY EMPLOYEE—MICHAEL WOODARD

- 8. **Approve: Request for Hiring New Highway Employee:** During the last month, applications were received by the Highway Department to fill the position of Heavy Equipment Operator, vacated by the resignation of Tom Fraser. Jim Welch made the motion to approve to employ Michael Woodard for the full-time position with Highway Department.

Second: Jim Welch Vote: 4 Ayes. Carried.

Supervisor Miller asked Highway Superintendent Boesel to put together an offer for Woodard to officially accept.

MTN: BOARD LIAISONS/ NEGOTIATORS FOR 3 FIRE DEPTS., HIGHWAY DEPT. & CODE ENFORCEMENT UPCOMING CONTRACTS

- 9. **Board Liaisons/Negotiators for Contract Renewals:** Since contracts and agreements for the three (3) Fire Districts, Highway and Code Enforcement are close to renewal time, Todd Pipitone made the motion to appoint Board members Mike Lambrix and Todd Pipitone to work with the three Fire Companies; Jim Welch to work with the Highway Department; and Dave Nussbaumer to work with the Code Enforcement Office—as liaisons between the Town and each unit, for negotiation purposes and contract renewals.

Second: Jim Welch Vote: 4 Ayes. Carried.

MTN: APPROVE CLAIMS & EXPENDITURES IN ABSTRACT #232

- 10. **Approve: Claims & Expenditures Shown on Abstract #232:** Councilman Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #232, that include Voucher Numbers 13226 through 13291 for \$130,881.24.

Second: Todd Pipitone Vote: 4 Ayes. Carried.

MTN: ADJOURN MEETING

- 11. **Motion to Adjourn:** At 8:07 p.m., Todd Pipitone made the motion to adjourn the meeting.

Second: Dave Nussbaumer Vote: 4 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

RESOLUTION #15-2012: Tabled at this meeting. Will be considered at July 2012 Town Board meeting.

RESOLUTION #16-2012: **Modify 2012 Budget to Reflect Lump Sum Sick Leave Payment**

NEXT TOWN BOARD MEETING:
THURSDAY, JULY 26, 2012, 7:00 P.M.
PALMYRA TOWN HALL