

PUBLIC HEARING
FOR FIRE DEPARTMENT CONTRACTS
AND MEETING OF THE TOWN BOARD

November 18, 2010

At 7:00 p.m., Supervisor Miller called to order the Town Board Meeting, held on Tuesday, November 18, 2010, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY. **CALL TO ORDER**

Supervisor Kenneth 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 Miller, Supervisor
David Nussbaumer, Councilman
Michael Lambrix, Councilman
James Welch, Councilman
Todd Pipitone, Councilman **ROLL CALL**

Also attending the meeting:
Billie Rae Walker—*Wayne Post* reporter and resident George Palmer. **MEETING ATTENDANCE**

At 7:02 p.m., Supervisor Miller read the following "Public Hearing Rules and Procedures":

The purpose of this public hearing is to give everyone the opportunity to discuss or comment on the hearing topic and to provide residents with information about the three contracts for fire protection to town residents for 2011 and 2012.

These views become part of the record, which the Town Board relies on for its findings, conclusions, and decisions.

Anyone wishing to speak must sign in and may state their name and address for the record.

Individuals will be given a three-minute time period to present their comments regarding the topic.

The Supervisor has the authority to take any necessary measures to control the hearing and spontaneous comments from the floor are not permitted.

If a speaker drifts off the subject of the hearing, you will be reminded to limit your comments regarding today's topic of discussion.

READING OF PUBLIC HEARING RULES AND PROCEDURES

The following legal notice, which had been published and posted according to law, was read by Town Clerk Lynne Green:

LEGAL NOTICE
TOWN OF PALMYRA—PUBLIC HEARING

VILLAGE OF PALMYRA FIRE PROTECTION DISTRICT
EAST PALMYRA FIRE PROTECTION DISTRICT
PORT GIBSON FIRE PROTECTION DISTRICT

READING OF
LEGAL NOTICE
FOR PUBLIC
HEARING

***NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Palmyra, Wayne County, State of New York, on the 18th day of November, 2010, at 7:00 p.m. at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra NY, for the purpose of considering contracts proposed by said Town Board to be entered into with the Village of Palmyra, the East Palmyra Fire Department, and the Port Gibson Fire Department, for furnishing the fire protection to said Town, at which time and place the Town Board will consider such proposed contracts and all persons interested in the same.*

The Town Board will, at said time and place, hear all persons in favor of, or against, an increase in said contracts.

PUBLIC
HEARING FOR
FIRE
PROTECTION
CONTRACT WITH
VILLAGE

Start Public Hearing for Contract with Village of Palmyra for Fire Protection: At 7:03 p.m., Councilman Mike Lambrix made the motion to publicly discuss the 2011-2012 contract with Village of Palmyra for fire protection. Dave Nussbaumer seconded the motion. Voting was unanimous in the affirmative.

PUBLIC AND
BOARD
COMMENTS

Supervisor Miller asked those in attendance if they would like to comment or question the proposed contract with the Village. Hearing no comments, at 7:05 p.m., Mike Lambrix made the motion to close this public hearing. Dave Nussbaumer seconded this motion. Voting was unanimous in the affirmative.

At the previous Town Board meeting, a motion was made, seconded and approved that the hearing about the contract with the Village of Palmyra would begin at 7:00 p.m., that the hearing about the contract with the East Palmyra Fire Department would begin at 7:10 p.m., and that the hearing about the contract with the Port Gibson Fire Department would begin at 7:20 p.m.

Since it was now 7:05 p.m., Ken Miller asked the Board if they had any problem with continuing on with tonight’s agenda in between the hearings. They agreed to continue with the agenda.

Informational Items:

- 1. **Quarterly Payment for Gravel Extraction:** At 7:06 p.m., the first Informational Item was presented before the Board. It was the payment to the Town for the third quarter of 2010 for gravel taken at the Division Street gravel pit by Morrison Excavating, Inc.
- 2. **Public Comments:** Next, Ken asked if there were any comments that those in attendance this evening would like to make. No one spoke.

**QUARTERLY
PAYMENT FOR
GRAVEL
EXTRACTION**

**NO COMMENTS
BY PUBLIC**

Agenda Item:

- 1. **Set Public Hearing Date for Local Laws 1 and 2 for 2010 –Dog License Laws:** At 7:08 p.m., Ken skipped down on the agenda to selecting a date for the public hearing of the new 2010 dog licensing laws, which are slated to be implemented the first of January 2011.

Dave Nussbaumer made the motion to have the public hearing for the new Dog Licensing Laws on Tuesday, November 23, 2010, at 7:00 p.m.

Second: Mike Lambrix

Vote: 5 Ayes. Carried.

**MTN: SET DATE
FOR PUBLIC
HEARING OF
NEW DOG
LICENSING
LAWS**

Start Public Hearing for East Palmyra Fire Department Contract: At 7:10 p.m., Councilman Mike Lambrix made the motion to publicly discuss the 2011-2012 contract with the East Palmyra Fire Department. Dave Nussbaumer seconded the motion. Voting was unanimous in the affirmative.

Supervisor Miller asked those in attendance if they would like to comment or question the proposed contract with the East Palmyra Fire Department. Hearing no comments, at 7:12 p.m., Mike Lambrix made the motion to close this public hearing. Dave Nussbaumer seconded this motion. Voting was unanimous in the affirmative.

**PUBLIC
HEARING FOR
2011-2012 EAST
PALMYRA FIRE
DEPARTMENT
CONTRACT**

Agenda Items:

**MTN: APPROVE
SEQR NEGATIVE
DECLARATION
FOR YARD
MAINTENANCE
ORDINANCE**

- 2. **Approve—SEQR Short Form for Yard Maintenance Ordinance:** At the October 28th Town Board meeting, the Board approved the Yard Maintenance Ordinance with the stipulation "upon approval of the negative declaration by the Town Board of the SEQR." Mike Lambrix made the motion to approve the negative declaration of the SEQR for the Yard Maintenance Ordinance, required by law.

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

- 3. **Approve Final 2011 Town of Palmyra Budget:** Now that changes to the 2011 Town budget have been made and the public hearing has been held, Councilman Dave Nussbaumer made the motion to approve the Final 2011 Town of Palmyra Budget.

Second: Mike Lambrix Vote: 5 Ayes. Carried.

**MTN: APPROVE
FINAL 2011
TOWN BUDGET**

Roll Call Vote:	Supervisor Kenneth F. Miller	Aye
	Deputy Supervisor James T. Welch	Aye
	Councilman David M. Nussbaumer	Aye
	Councilman Michael C. Lambrix	Aye
	Councilman Todd J. Pipitone	Aye

Start Public Hearing for Port Gibson Fire Department Contract: At 7:20 p.m., Councilman Jim Welch made the motion to publicly discuss the 2011-2012 contract with the Port Gibson Fire Department. Dave Nussbaumer seconded the motion. Voting was unanimous in the affirmative.

**PUBLIC
HEARING FOR
2011-2012 PORT
GIBSON FIRE
DEPARTMENT
CONTRACT**

Supervisor Miller asked those in attendance if they would like to comment or question the proposed contract with the Port Gibson Fire Department. Hearing no comments, at 7:21 p.m., Mike Lambrix made the motion to close this public hearing. Dave Nussbaumer seconded this motion. Voting was unanimous in the affirmative.

With the three public hearings now closed, the Board continued the meeting with the remaining agenda items.

AGENDA ITEMS:

4. **Approve Fire Protection Contract for 2011-2012 with Village of Palmyra:** Councilman David Nussbaumer made the motion to approve the 2011-2012 contract for fire protection with the Village of Palmyra.

Second: Mike Lambrix Vote: 5 Ayes. Carried.

Roll Call Vote: Supervisor Kenneth F. Miller	Aye	MTN: APPROVE 2011-2012 FIRE PROTECTION CONTRACT WITH VILLAGE OF PALMYRA
Deputy Supervisor James T. Welch	Aye	
Councilman David M. Nussbaumer	Aye	
Councilman Michael C. Lambrix	Aye	
Councilman Todd J. Pipitone	Aye	

A copy of this contract is attached to these minutes as Attachment A.

5. **Approve Fire Contract for 2011-2012 with East Palmyra Fire Department:** Dave Nussbaumer made the motion to approve the 2011-2012 contract with the East Palmyra Fire Department.

Second: Jim Welch Vote: 5 Ayes. Carried.

Roll Call Vote: Supervisor Kenneth F. Miller	Aye	MTN: APPROVE 2011-2012 FIRE PROTECTION CONTRACT WITH EAST PALMYRA FIRE DEPARTMENT
Deputy Supervisor James T. Welch	Aye	
Councilman David M. Nussbaumer	Aye	
Councilman Michael C. Lambrix	Aye	
Councilman Todd J. Pipitone	Aye	

A copy of this contract is attached to these minutes as Attachment B.

6. **Approve Fire Contract for 2011-2012 with Port Gibson Fire Department:** Mike Lambrix made the motion to approve the 2011-2012 contract with the Port Gibson Fire Department.

Second: Todd Pipitone Vote: 5 Ayes. Carried.

Roll Call Vote: Supervisor Kenneth F. Miller	Aye	MTN: APPROVE 2011-2012 FIRE PROTECTION CONTRACT WITH PORT GIBSON FIRE DEPARTMENT
Deputy Supervisor James T. Welch	Aye	
Councilman David M. Nussbaumer	Aye	
Councilman Michael C. Lambrix	Aye	
Councilman Todd J. Pipitone	Aye	

A copy of this contract is attached to these minutes as Attachment C.

**MTN: ADJOURN
MEETING**

7. **Motion to Adjourn:** At 7:26 p.m., Mike Lambrix made the motion to adjourn the meeting.

Second: Todd Pipitone

Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

Attachment A: Fire Protection Contract for 2011-2012 with Village of Palmyra

Attachment B: Fire Contract for 2011-2012 with East Palmyra Fire Department

Attachment C: Fire Contract for 2011-2012 with Port Gibson Fire Department

**Next Town Board Meeting
Tuesday November 23, 2010, 7:00 PM
Palmyra Town Hall**