

REGULAR MEETING OF THE TOWN BOARD

**PALMYRA TOWN HALL
JULY 28, 2011**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, July 28, 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* editor Tracey Curry; Wayne County Industrial Development Agency Representative Dave Richards, *The Times of Wayne County* reporter Betsy Pray, Code Enforcement Officer Dan Wooden and Palmyra Highway Superintendent Mike Boesel.

**MEETING
ATTENDANCE**

Motion was made by Todd Pipitone to approve the minutes of the June 23, 2011 meeting of the Town Board.

**MTN: APPROVE
MINUTES OF
6/23/2011 TOWN
BOARD MEETING**

Second: Mike Lambrix Vote: 4 Ayes. Carried.
 Dave Nussbaumer abstained as he was excused.

COMMUNICATIONS

1. **Wayne County Sheriff’s Office Report:** The May and June reports of the Palmyra activity from the Wayne County Sheriff’s office were provided. Also listed is the “Tickets by Town” chart for the first six months of the year, as well as the “June 2011 Sheriff’s Monthly Column” press release.

**WAYNE COUNTY
SHERIFF’S OFFICE
REPORT**

**DECISION-
MAKING
TRAINING
WORKSHOPS
AVAILABLE TO
BOARD
MEMBERS**

2. **Land Use Decision-Making Training Program:** The Monroe County Department of Planning & Development has a training program aimed at "new and returning municipal board members, including planning and zoning boards, municipal officers and staff, agency personnel, planners, attorneys, architects, developers, engineers, landscape architects, and surveyors." Workshops are scheduled for September, October and November. Supervisor Miller told Town Board members to contact him if they are interested in attending.

REPORTS OF STANDING COMMITTEES

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

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

1. **Town Clerk's Office Report for July:** Councilman Todd Pipitone asked Board members to read the report, with topics including the new marriage law, dog licensing update, records management, and gearing up for Hunting Season and school taxes. Lynne coordinated a group of volunteers from the Hill Cumorah Pageant cast this month, in projects inside and outside of Town Hall.

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

2. **"Clerks Helping Area Soldiers" Care Package Update:** Palmyrans read local newspaper articles about the Wayne County Town Clerks Association project and donated arms-full of items to fill our boxes for soldiers. Irene boxed and taped 7 boxes, and there was yet another large boxful of miscellaneous items that were shared with other town clerks at the July Town Clerks Association meeting. Councilman Todd Pipitone commented that this is "something to be proud of" and Ken Miller added, "good job."

Highway Committee – James Welch, Chairman

1. **July Highway Report:** Highway Superintendent Mike Boesel submitted his report for July:

**JULY HIGHWAY
REPORT**

Highway Superintendent Report
for Town Board Meeting
07/28/2011

Since the 6/23/11 meeting we have completed the following work:

- Brushmowing – Quaker Rd, Port Gibson, Hogback, Galloway, Fagner Roads
- Shoulder work – Harris Road, Hogback Road, Schilling Road
- Wedging – Jagger, Port Gibson, Hogback, Harris, Quaker Roads
- Culvert work – Hot asphalt shimming on Port Gibson, Schilling, & Parker Roads
- Hauling – hauled 3/8's stone for our road project later this summer
- Inter-municipal Assistance
 - 7/6/11 & 7/7/11 - 2 Palmyra trucks to Walworth for stone/oil
 - 7/12/11 thru 7/14/11 - 1 Walworth grader operator assisting with wedging
 - 7/13/11 thru 7/14/11 - 1 Palmyra truck to Arcadia for stone/oil assistance
 - 7/19/11 - 1 Marion truck assisting with wedging
 - 7/20/10 - 1 Marion truck & grader operator assist with wedging
 - 7/26/11 - 2 Marion trucks & grader operator assist with wedging
 - 7/27/11 - 7/28/11 1 Marion grader operator assisting with wedging

JULY HIGHWAY REPORT

Other miscellaneous items include:

- **Mowing** – Chris Bratt completed Round #2 last week.
- **Brush Mowing** – We have been mowing back roads anticipated for surface treating this summer as well as areas on the backside of our guiderails.
- **Harris Road** – Over the past two months we have trimmed trees back, ditched, cut shoulders and will soon be completing our wedging project. We plan additional drainage work at the North Creek intersection soon.
- **Schilling Road/Hogback Road** – This past month we made repairs to the failed section of road on Schilling Rd and around the curve on Hogback near Swifts Landing Park.
- **Wedging** – For most of the latter half of July we have been trying to complete most of our hot asphalt wedging projects. We hope to also continue wedging on portions of Garnsey Road and Palmer Road over the next few weeks.
- **Upcoming Projects** – Over the next month we hope to complete surface treating projects on Quaker Road, Port Gibson Road, Fagner Road, Sheridan Road, S.Creek Road. We also hope to complete guiderail and wedging work on Port Gibson Road.

**WAYNE COUNTY
ROADWORK IN
PALMYRA**

2. **Wayne County Roadwork in Palmyra:** Mike Boesel said the county highway department had finished striping for this month. They will do more when the roads are finished. Quaker Road is to be refinished.

When asked about working outside in the extremely hot weather, Mike noted his workers were hydrated and even did asphalt paving, as they were able.

**ALDERMAN
ROAD/BRIDGE
REPLACEMENT**

3. **Alderman Road Bridge Replacement Project:** Although Alderman Road is in Macedon, while the road will be blocked off for bridge repairs/replacement, Palmyra anticipates that detours will be posted sending motorists to Route 21 in Palmyra. We expect an increase in traffic volume.

**LOCAL SPEED
LIMIT LAWS**

4. **Local Speed Limit Laws:** When asked if bills in the New York State legislature have been passed allowing local municipalities to establish their own speed limits, Mike said he isn't aware that anything has passed yet.

**RESURFACING
MAIN STREET IN
PALMYRA IN
2012**

5. **Resurfacing Main Street in Palmyra:** Ken Miller announced he had received a letter this week from the NY State Department of Transportation stating Main Street in the Village of Palmyra is scheduled to be resurfaced beginning Spring 2012.

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

**NO PLANNING
BOARD
MEETING IN
JULY**

1. **No Planning Board Meeting:** Mike Lambrix told Board members there was no Planning Board meeting in July.

**QUOTE FOR
CARPET
CLEANING AT
TOWN HALL**

2. **Quote for Carpet Cleaning:** Cafco East Carpet Cleaning in Farmington was contacted about carpet cleaning at Town Hall. Their quote to clean all hallways is \$635. They also provided breakdowns of costs to clean the various offices. Mike Lambrix also wants to review each office for cleaning need. Ken added that the Highway Department has steam-cleaned mats around the building in the past. Mike Boesel nodded that he is okay with doing that again.

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

- 1. **Assessor’s July Office Report:** Assessor Elaine Herman reported that the final roll was filed with the County and Town Clerk’s offices, and balance sheets mailed to the State. Elaine has started inspecting properties for the 2013 update. **ASSESSOR’S OFFICE JULY REPORT**

- 2. **Request to Purchase Printer/Scanner/Copier:** Elaine put in a request for an HP LaserJet Multifunction printer/scanner/copier that is on sale until the end of July for \$224.99. Her reserved STAR funds are available for this purchase. **REQUEST TO PURCHASE PRINTER/ SCANNER/ COPIER**

- 3. **Code Enforcement/Zoning Office July Report:** Code Enforcement Officer Dan Wooden provided Board members with the list of permits issued during July, along with a request for direction on how to proceed for those who are in violation of the town’s Property Maintenance Ordinance. Most owners have cleaned up their properties, but “there are, however, five or six that remain untouched,” he added. **CODE ENFORCEMENT/ ZONING OFFICE JULY REPORT**

Dan suggested several ways to get the job done, which would require agreements with the Highway Department, the Village, or the hiring of private contractors, especially since some are village properties. Ken Miller they could check out private contractors, and he would talk with Mayor Vicky Daly to see if the Village Department of Parks and Cemeteries can work in the Town, as part of in-kind services. **VIOLATORS OF PROPERTY MAINTENANCE ORDINANCE DISCUSSION**

- 3. **Zoning Board Meeting Minutes of July 14:** Town Board members were given copies of minutes from the Zoning Board meeting that took place on July 14. Two Public Hearings were held that evening. **MINUTES OF ZONING BOARD MEETING OF 7/14/2011**

INFORMATIONAL ITEMS

- 1. **Palmyrans on FLCC Dean’s List:** Supervisor Miller thought Board members would be interested in the list of Palmyans who made the Dean’s List for the Spring 2011 semester at the Finger Lakes Community College. Caitlin Jablonski, his niece, is among those honored. **PALMYRANS ON FLCC DEAN’S LIST SPRING 2011 SEMESTER**

**PALMYRA
COMMUNITY
LIBRARY BOARD
MEETING
MINUTES**

- 2. **Palmyra Community Library Meetings:** A special meeting of the Palmyra Community Library Board of Directors was called on May 25th to consider several offers for sale of the library’s 127 Cuyler Street property. An offer of \$99,000 was accepted by the Board, to be sold “as is”.

Minutes of June 16 Board meeting were also provided to Town Board members for their information.

**UPCOMING
LIBRARY
TRUSTEE
ELECTION**

There is an election coming up on October 11 for three Library trustee positions, each for a four-year term. Candidates should submit petitions by September 9.

**OPEN BURNING
REGULATIONS
IN NEW YORK
STATE**

- 3. **Open Burning Laws in New York State:** The Town recently received fliers with details about the latest Open Burning Regulations for household trash. While there are a few open burning exemptions, such as barbecue grills, fire training, disposal of flags, etc., burning household trash is prohibited. To do so can release “dangerous compounds including arsenic, carbon monoxide, benzene, styrene, formaldehyde, lead, hydrogen cyanide and dioxin, among others.” It is also the “single greatest cause of wildfires in New York.”

**AUDITORS
CONDUCT AUDIT
AT TOWN HALL**

- 4. **Auditors at Town Hall:** During the last few weeks, auditors were at Town Hall conducting the required audit, a result of the most recent water installation project. They spent about two weeks going through records and asking questions, particularly in the Bookkeeper’s office and Town Clerk’s office.

**REVISIT
CAMBIER ROAD
FOR POSSIBLE
MUNICIPAL
WATER
INSTALLATION**

- 5. **Cambier Road Water District Request:** Ken Miller noted several requests for municipal water service on Cambier Road led him to ask for information about the original survey taken in March, 2006, when the water project was originally proposed. Of the 37 properties surveyed, 11 were in favor, 26 were opposed. Since then, 6 properties have changed hands and there has been one new construction. Having water lines hooked up for out-of-district users costs about \$10,000 for the line to be installed, out of pocket for the requestor.

**SEND OUT
LETTERS OF
INTEREST**

Dave Nussbaumer suggested the Town send out letters of interest again. Todd Pipitone expressed interest in seeing the letter before it is sent out.

6. **Custodial Issues:** Ken Miller announced that a clipboard is now available in the custodial closet for people to place messages or items for special attention to the Town Hall custodial staff. **CLIPBOARD FOR CUSTODIAN**

7. **Public Input:** Although there were members of the public at the Board meeting, they did not bring up issues at this time. **PUBLIC INPUT**

EXECUTIVE SESSION

At 7:27 p.m., Dave Nussbaumer made the motion to enter Executive Session to discuss matters of personnel.

Second: Mike Lambrix Vote: 5 Ayes. Carried.
Code Enforcement Officer, Dan Wooden,
was invited to participate.

MTN: ENTER EXECUTIVE SESSION

At 7:50 p.m., Mike Lambrix made the motion to end Executive Session and reconvene the Town Board meeting.

Second: Jim Welch Vote: 5 Ayes. Carried.

MTN: EXIT EXECUTIVE SESSION

AGENDA ITEMS

1. **Approve Quote for Audit Services:** Auditors from Raymond F. Wager, CPA, P.C., conducted an audit of financial statements for year 2010. This is a requirement for the USDA Rural Development funds received for the Johnson/Floodman/Parker Water Improvement Areas project. The quote for services by the auditors is \$8,950, "(required if entity expended federal funds in excess of \$500,000 in fiscal year.)"
QUOTE FOR AUDIT SERVICES OF FINANCIAL STATEMENTS FOR 2010

Supervisor Miller said the auditor will put together a summary, noting major and minor violations and corrective actions. The Town Board can then decide if they would like the auditor to come to a Town Board meeting for further discussion.

MTN: APPROVE
QUOTE FOR
AUDIT SERVICES
OF FINANCIAL
STATEMENTS
FOR 2010

Mike Lambrix made the motion to approve payment of audit services.

Second: Jim Welch

Vote: 5 Ayes. Carried.

- 2. **Resolution: Authorize to Execute Application for Pulp Packaging:** The following resolution was brought before the Town Board as part of the Pulp Packaging application for Small Cities Economic Development funding:

**Authorization to Execute
an Office of Community Renewal
Small Cities Economic Development Application
on behalf of Pulp Packaging, Inc.**

Brief Description: This resolution authorizes the Supervisor of the Town of Palmyra to execute an application and any other related documentation, required on behalf of Pulp Packaging, Inc., for assistance in the amount of \$200,000, under the Office of Community Renewal Small Cities Economic Development Program.

RESOLUTION TO
AUTHORIZE THE
EXECUTION OF
SMALL CITIES
ECONOMIC
DEVELOPMENT
APPLICATION
FOR FUNDING ---
PULP
PACKAGING

- 1. The New York State Office for Community Renewal is accepting applications for funding under the Small Cities Community Development Block Grant Program.
- 2. Pulp Packaging, Inc. has submitted a preliminary application for financial assistance in the amount of \$200,000.
- 3. The Town Board held two public hearings, on May 10, 2011 and May 26, 2011 to invite public comment and suggestions regarding the Town's potential interest in filing a Small Cities Grant Application, and to assist the Town in identifying possible projects for inclusion in the application, and to review the preliminary application of Pulp Packaging, Inc.
- 4. The Supervisor of the Town of Palmyra is authorized and directed, as the official representative of the Town, to execute and submit the Small Cities Grant Application to the Office of Community Renewal in the amount of \$200,000, including all understandings and assurances contained therein, and is authorized and directed to act in connection with the submission of the application and provide such additional information as may be required.

Councilman Jim Welch asked if there are "strings attached" to these funds. Ken said there were, and that the Town manages the paperwork. Todd Pipitone then read a paragraph of the letter from the Office of Community Renewal:

"Any potential funding through the NYS CDBG Program is subject to availability of funds, successful completion of the application process, compliance with all program and statutory requirements, review and recommendation by the Office of Community Renewal, and approval by the New York State Housing Trust Fund Corporation (HTFC)."

**MTN:
AUTHORIZE
SUPERVISOR TO
SIGN SMALL
CITIES
ECONOMIC
DEVELOPMENT
APPLICATION
FOR PULP
PACKAGING**

Todd Pipitone made the motion to authorize Supervisor Ken Miller to sign the *Authorization to Execute an Office of Community Renewal—Small Cities Economic Development Application—on Behalf of Pulp Packaging, Inc.*

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

- 3. **Town Purchases—Credit Card Discussion:** Supervisor Miller noted that other municipalities that have a credit card are able to take advantage of tax-exempt purchases for local governments. He agreed to find out what's out there and what other municipalities are using. He will then report back to the Board. No motion was offered at this time.

**TOWN CREDIT
CARD
DISCUSSION**

- 4. **Approve Purchase of Printer/Scanner/Copier for the Assessor's Office:** Board members decided that the sale price for the requested printer/scanner/copier is worth taking advantage of. Todd Pipitone asked about Elaine's budget for ink, cables and other hardware that would be needed to hook up the machine. Ken said the items are in Elaine's budget.

**MTN: APPROVE
PURCHASE OF
PRINTER/
SCANNER/
COPIER FOR
ASSESSOR'S
OFFICE**

Dave Nussbaumer made the motion to approve the purchase of the All-In-One printer/scanner/copier for the Assessor's office, from STAR funds, not to exceed \$224.99, from Quill.

Second: Jim Welch Vote: 5 Ayes. Carried.

MTN: APPROVE
CARPET
CLEANING OF
HALLWAYS IN
TOWN HALL

5. **Carpet Cleaning at Town Hall:** Looking at the amounts on the quote for carpet cleaning provided by Cafco East Carpet Cleaning, and realizing that our budget is limited, Mike Lambrix made the motion to approve cleaning the carpets in all the hallways, not to exceed the \$635 estimate.

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

Next, Mike Lambrix proposed the idea to have this item reviewed again by the Board to decide which offices to focus on for further cleaning. Dave Nussbaumer made the motion to approve this proposal, not to exceed \$500.

MTN: DECIDE
LATER ON
OTHER CARPET
CLEANING
NEEDS AT TOWN
HALL

Second: Jim Welch Vote: 5 Ayes. Carried.

Highway Superintendent Mike Boesel agreed to have his crew again power wash the mats around Town Hall, especially those at the entrances, to save further expense on carpet cleaning.

SCHEDULE 2012
BUDGET
PREPARATION
DATES

6. **2012 Budget Preparation:** Supervisor Miller said the Board would meet on the following dates to prepare the 2012 Town budget: Tuesday, August 30; Tuesday, September 6; Tuesday, September 13; each starting at 7:15 p.m. at the Town Hall. No motion was offered.

PROPOSE
AS-NEEDED
MINUTE TAKER
FOR CODE/
ZONING
MEETINGS

7. **Payment of Voucher for Minute-Taker:** Since there have been occasions where meetings for the Village and the Town have been scheduled on the same evening, it has been necessary to hire a "Minute-Taker" for each. Such an occasion occurred recently where two Zoning Boards of Appeal meetings (one Town and one Village) were so scheduled. A "Minute-Taker" was needed for one of these meetings, and Code Enforcement Officer Dan Wooden asked an employee of the Village to take minutes and transcribe them. She agreed, and took minutes at the Village meeting. However, Dan hadn't been able to secure Town Board approval before that Zoning Board meeting, to authorize payment of this "Minute-Taker." He had prepared a voucher for payment and needed Board approval. Dan mentioned there is money in his current budget to pay for this service.

When the Town Board understood the reason for the request, Dave Nussbaumer made the motion to authorize payment for a "Minute-Taker" for this meeting, and to authorize payment for other Code/Zoning meetings, should the situation arise again.

**MTN:
AUTHORIZE
PAYMENT FOR
AS-NEEDED
MINUTE TAKER
FOR CODE/
ZONING
MEETINGS**

Second: Todd Pipitone Vote: 5 Ayes. Carried.

- 8. **Approve Claims & Expenditures on Abstract #219:**
Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #219, that includes Voucher Numbers 12399 through 12476 for \$70,989.21.

**MTN: APPROVE
ABSTRACT #219**

Second: Todd Pipitone Vote: 5 Ayes. Carried.

- 9. **Motion to Adjourn:** At 8:02 p.m., Todd Pipitone made the motion to adjourn the meeting.

**MTN: ADJOURN
MEETING**

Second: Mike Lambrix Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

NEXT TOWN BOARD MEETING

**THURSDAY, AUGUST 25, 2011, 7:00 P.M.
PALMYRA TOWN HALL**