

**PUBLIC HEARING**

**PALMYRA TOWN HALL  
NOVEMBER 30, 2006**

The Public Hearing scheduled for Thursday, November 30, 2006 at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, to consider the adoption of a new Zoning Ordinance for the Town of Palmyra, and the recommendation made by the Palmyra Town Planning Board. The public hearing was called to order at 7:00 p.m. by Town Supervisor David Lyon. The following legal notice for the public hearing had been previously posted and published, and was read by Town Clerk Lynne Green at the hearing:

**PUBLIC  
HEARING  
CALL TO ORDER**

**LEGAL NOTICE  
TOWN OF PALMYRA**

**PUBLIC HEARING FOR PROPOSED ZONING ORDINANCE**

**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 Thursday, November 30, 2006, at 7:00 p.m. in the Town Hall, 1180 Canandaigua Road, Palmyra, to consider the adoption of a new Zoning Ordinance for the Town of Palmyra, and the recommendation made by the Palmyra Town Planning Board.

A copy of the Draft of the Proposed Zoning Ordinance is on file in the Palmyra Code Enforcement Office at the Town Hall, and may be reviewed during normal business hours. All interested parties will be given the opportunity to be heard at the hearing, and may appear in person or by agent or attorney. Written communication may be submitted to the Town Board prior to the hearing at the above address, or at the time of the hearing.

**LEGAL NOTICE**

BY ORDER OF THE TOWN BOARD  
Dated: October 26, 2006

Lyndall Ann P. Green  
Palmyra Town Clerk

In attendance at the hearing were the following town board members:

David C. Lyon, Supervisor  
James Welch, Councilman  
Kenneth Miller, Councilman  
David Nussbaumer, Councilman  
Councilman Michael Lambrix was absent

**ATTENDANCE  
AT PUBLIC  
HEARING**

Also present at this hearing:

**ATTENDANCE AT  
PUBLIC HEARING**

Michael Boesel Palmyra Highway Superintendent  
Bob Grier Palmyra Code Enforcement Officer  
Todd Pipitone *Courier-Journal* reporter  
Roy C. Wilck, Rick Walton, Charles Wirth and Neil Gates

On November 13, the Town Planning Board had held a public hearing on the proposed Zoning Ordinance. Barbara Johnston, of Stuart I. Brown Associates, made a slide presentation to those attending that meeting on the proposal. Discussion centered on specific issues brought up by residents in attendance and new zoning categories. Those issues which the Planning Board thought should be changed in the draft were printed up in a list of Palmyra Zoning Revisions. Barbara Johnston was in attendance again, and began the public hearing tonight by giving a short Power Point presentation on the revisions recommended by the Planning Board. After her report, Supervisor Lyon asked if there was anyone in attendance who wished to comment on the Zoning Ordinance. Several residents voiced opinions about issues which directly affect them and their neighbors, such as trash burning, fencing and unregistered cars. Looking over the minutes of the last Planning Board meeting, there was no recommendation made for the Town Board to consider.

**PUBLIC HEARING  
CLOSED**

Supervisor Lyon asked if there were any others who wished to speak. Hearing none, he declared the public hearing closed at 7:20 p.m.

**REGULAR TOWN BOARD MEETING**

**CALL MEETING  
TO ORDER**

At 7:24 p.m., Supervisor Lyon called to order the regular town board meeting, scheduled to be held on Thursday, November 30, 2006, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY.

**PLEDGE TO  
FLAG**

Supervisor Lyon led those present in the Pledge of Allegiance to the Flag.

Upon roll call, the following board members were present:

**ROLL CALL**

David C. Lyon, Supervisor  
James Welch, Councilman  
David Nussbaumer, Councilman  
Kenneth Miller, Councilman  
Councilman Michael Lambrix was absent

Motion was made by Dave Nussbaumer to approve the minutes of the November 9, 2006 meeting of the Town Board.

**MTN: APPROVE  
MINUTES OF  
11/9/2006 TOWN  
BOARD  
MEETING**

Second: Ken Miller

Vote: 4 ayes. Carried.

## **COMMUNICATIONS**

DEC Brownfield Cleanup Program: A Fact Sheet was received from the NYS Department of Environmental Conservation informing the town that a report has been submitted about the investigation completed at Garlock Sealing Technologies, LLC. This report deals with brownfield cleanup at Garlock. "A brownfield is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination." The draft report "recommends that remediation of the Garlock brownfield is not necessary at the site...." NYSDEC is making the report available for public comment before it can be approved. It is accepting written public comments from 11/10/06 through 12/23/06. The draft RI Report is available for public review at the Palmyra Town Clerk's office.

**NYSDEC FACT  
SHEET FOR  
GARLOCK  
BROWNFIELDS  
AVAILABLE FOR  
PUBLIC REVIEW**

## **REPORTS OF STANDING COMMITTEES**

### **Buildings and Grounds Committee – Ken Miller, Chairman**

November Update on Town Hall Items: Ken Miller announced that the gutters have been installed along the edge of the back roof at Town Hall. Monroe Insulation and Gutter (MIG) used the recent warm days to complete the job. He also has arranged for Tyler Ferguson to shovel the sidewalks at Town Hall this upcoming winter. He fixed the clock in the Large Meeting Room, and arranged for the surplus office equipment--mostly computer parts and printers--to be taken to a dealer for recycling.

**TOWN HALL  
BUILDING  
UPDATE**

### **Highway Committee – Michael Lambrix, Chairman**

1. Highway Department Monthly Report: Mike Boesel's report for November was presented to the town board:

Highway Superintendent Report  
For  
Town Board Meeting

11/30/2006

Since the 10/26/06 meeting we have completed the following work:

- Patching – O’Meal, Harris, Hogback, S. Creek Roads
- Wedging – Cornwall, Trolley, Quaker, S. Creek Roads
- Ditching – Parker, Walker Roads
- Brushmowing – Hazen Lane
- Sweeping – Schilling, Goldsmith, Lusk, DeSmith, Hogback Roads
- Paved gutter – Cole Road
- Gravel Shoulders – Cornwall Road (with 2 extra trucks from Marion Hwy)
- Street/Catchbasin cleaning – East Palmyra area

**HIGHWAY DEPT.  
MONTHLY  
REPORT FOR  
NOVEMBER**

Other miscellaneous items include:

- Sidewalk Project – Palmyra Highway/Pat’s Lawncare Service completed sidewalk restoration for lawn areas. Coon Bros Paving is almost complete with the asphalt paving restoration. We are awaiting the Vet Hospital sanitary sewer extension project completion before the last driveway is restored. We received correspondence from MRB Group allowing the Baptist Church to fill in the swale between Town Hall and the Church driveways with certain recommendations. Pastor Brassler is currently obtaining quotes for the Church to complete this work.
- On November 16<sup>th</sup> we received some heavy rain for a short duration. We had minor flooding around the Town and Village. This was mostly due to leaves covering storm inlets. However, we did have a field on Walker Road wash out into the road. We ended up hauling 16 loads of material from the road/ditchline that had washed out of the field. All storm culverts were checked during the storm and the day after.
- On November 21<sup>st</sup> we started installing snow fence around the Town. Letters were mailed to all affected property owners. Mr. Max Albertson responded this year with a denial for installation of snow fence on his land.
- On November 29<sup>th</sup> all fire extinguishers in our shop/fleet vehicles were inspected.
- Sign Inventory – Lu Engineers is supposed to be in Butler soon for a few weeks, then coming to Palmyra.
- All trucks are ready for snow season

2. Galloway/Hogback and Sidewalk Updates: Mike updated the board on the Galloway/ Hogback Hill Roads intersection. Wayne County Highway recommends that there be stop signs placed in all three directions. He also reported on the progress of the sidewalk project from Dar-Lind Lane to the Town Hall. MRB Engineering evaluated the impacts of filling in the swale, at the corner where Town Hall property meets the Bible Church property. Recommendations were made, and plans are now in the works by the Bible Church to do so.

**GALLOWAY/  
HOGBACK HILL  
INTERSECTION &  
SIDEWALK  
UPDATE**

3. Request for Millermatic Mig Welder: The highway crew uses their welder quite often, but it is not capable of welding aluminum and is quite old. Since Mike says there are funds in his budget this year to purchase a new welder, he brought three quotes to the board for consideration: Mahany Welding Supply out of Rochester at \$2,850.00, Danes Welding Supplies, Inc. out of Ontario at \$2,846.40, and Jackson Welding Supply Co., Inc., out of Newark at \$2,830.77. Dave Nussbaumer made the motion to approve Jackson Welding Supply's bid of \$2,830.77, as long as the funds are in the highway budget this year.

**MTN: PURCHASE  
WELDER FOR  
HIGHWAY DEPT.**

Second: Jim Welch

Vote: 4 ayes. Carried.

### **Planning Committee – James Welch, Chairman**

Jim Welch said there was no report this month.

### **Zoning Committee – David Nussbaumer, Chairman**

1. Code Enforcement/Zoning Office November Report: Zoning and Code Enforcement Officer Bob Grier submitted a report showing Permit activity during the previous month.
2. Sewer Line Installation on Canandaigua Road: The sewer line that is being installed from Dar-Lind Lane to the Palmyra Animal Hospital has been under construction for several weeks, longer than had been originally planned. According to Grier, "if anything could go wrong, it has gone wrong." About 90 feet of storm sewer has had to be replaced, with about 40 feet done already. The next step is to bore under Route 21 and take the pipe to the Animal Hospital.
3. Willow Landing Update: Conifer Associates, the owner of the Willow Landing Apartments on Division Street, will be adding three more buildings of apartments as they move into Phase 2 of their apartment complex. This will give an added 24 units. Recently, there was a kitchen fire in an apartment, which set off the sprinkler system. Water damage affected two units. They are now being repaired.

**CEO REPORT  
FOR NOVEMBER**

**CANANDAIGUA  
ROAD SEWER  
LINE  
INSTALLATION  
UPDATE**

**WILLOW  
LANDING  
APARTMENTS  
UPDATE**

**GARLOCK  
CONSTRUCTION  
UPDATE**

- 4. Garlock Construction Update: The Klozures building, which has been under construction for several months, has received a temporary certificate of occupancy for the production area. They hope to be up and running around the first of next year.

**NO ACTION  
TONIGHT ON  
THE PROPOSED  
ZONING  
ORDINANCE**

- 5. Proposed Zoning Ordinance: Although the public hearing for the proposed zoning ordinance was held this evening, and the changes and revisions to the ordinance were outlined by the presenter, Barbara Johnston, Dave Lyon said the town board would be discussing it at the next town board meeting on December 14, with final action by the board expected at the meeting on December 28.

**INFORMATIONAL ITEMS**

**FIRE  
DEPARTMENT  
CONTRACTS  
READY FOR  
BOARD  
SIGNATURES**

- 1. Signing of Contracts: At the November 9 meeting of the town board, three fire department contracts and amounts were approved. The contracts have now been updated with new information. They were available at the meeting tonight, ready for all signatures. Board members signed the new two-year agreements.

**ASSESSOR'S  
REPORT FOR  
NOVEMBER**

- 2. Assessor's Report for November: Palmyra Assessor Elaine Herman recapped activity in her office during November. A new automatic income verification program is available through the assessor's office to some residents who signed up for this type of STAR program. Information for the Town/County tax bills has been sent to the county so the bills can be printed. Elaine also included a copy of the new version of the tax bill and highlighted the changes which were recently made.

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

- 3. Town Clerk's Report for November: Deputy Town Clerk Betsy Lewis resigned effective November 6. This includes her appointed positions as Deputy Registrar, Records Management Coordinator and Webmaster. Irene Unterborn was approved as Deputy Town Clerk and Deputy Registrar. Celeste Finewood's hours increased to at least 20 hours per week. Customer service continues to be efficient and courteous, with a smooth transition for office procedures.

In addition, school tax collection ended October 31, so all final tallies and balances were due in the county during November. Everything balanced to the penny.

**AGENDA ITEMS**

1. Resolution: Port Gibson Fire Department Truck Purchase: In order to purchase a new fire truck, the Port Gibson FD proposes to issue bonds for funding. At the meeting of November 9, the town board made the motion stating they had no objection to the purchase, the issuing of bonds and that the fire department had no financial obligation with the Town of Palmyra. The fire department had a public hearing on November 28 on the issuance of such bonds. Now, it was necessary to have the town board pass a resolution that the obligations of the fire department ..."are not and will not become the obligation of the State of New York or any of its political subdivisions including, but not limited to, the Town of Palmyra." A copy of this resolution is offered as Attachment A to these minutes. Dave Nussbaumer made the motion to accept the Resolution as presented.

**MTN: ACCEPT  
RESOLUTION  
FOR PORT  
GIBSON FD FIRE  
TRUCK  
PURCHASE**

Second: Ken Miller

Vote: 4 ayes. Carried.

2. Change Employment Status: With changes in the Town Clerk's office, Celeste Finewood will be working a minimum of 20 hours weekly, and will be eligible to participate in certain pro-rated benefits. Dave Nussbaumer made the motion to change Celeste's employment status from Casual Part-Time to Part-Time Hourly.

**MTN: CHANGE  
EMPLOYMENT  
STATUS FOR  
CELESTE  
FINEWOOD**

Second: Ken Miller

Vote: 4 ayes. Carried.

3. Appoint Records Management Coordinator: A request was made by Town Clerk Lynne Green to appoint Celeste Finewood Records Management Coordinator for the town. Ken Miller made the motion to appoint her as Records Management Coordinator.

**MTN: APPOINT  
RECORDS  
MANAGEMENT  
COORDINATOR**

Second: Dave Nussbaumer

Vote: 4 ayes. Carried.

4. Declare Equipment as Surplus: Several small metal card file cabinets and an office chair in the Town Clerk's office are no longer needed. They can be disposed of only after being declared surplus. Jim Welch made the motion to declare these items as surplus.

**MTN: DECLARE  
SMALL OFFICE  
EQUIPMENT AS  
SURPLUS**

Second: Dave Nussbaumer

Vote: 4 ayes. Carried.

**MTN: SCHEDULE  
TOWN BOARD  
ORGANIZATION  
MEETING FOR  
2007**

- 5. Schedule 2007 Town Reorganization Meeting: Supervisor Dave Lyon proposed that the town board hold its 2007 Organization Meeting on Thursday evening January 4, 2007. Ken Miller made the motion to hold the Organization Meeting on January 4, at 7:30 p.m. at the Town Hall.

Second: Dave Nussbaumer                      Vote: 4 ayes. Carried.

**MTN: APPROVE  
ABSTRACTS  
#116 AND #117**

- 6. Approve Abstract #116 (for vouchers already paid) & Abstract #117 (for vouchers to be paid): Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #116, which includes Vouchers 7638 through 7642, for \$28,735.86; and Abstract #117, which includes Vouchers 7643 through 7722, for \$151,265.19.

Second: Ken Miller                                      Vote: 4 ayes. Carried.

**MTN: ADJOURN  
MEETING**

- 7. Adjournment: Dave Nussbaumer made the motion to adjourn at 7:51 p.m.

Second: Jim Welch                                      Vote: 4 ayes. Carried.

Respectfully submitted,

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Lyndall Ann P. Green  
Palmyra Town Clerk

Attachment A: Resolution for Port Gibson Fire Department to offer bonds to purchase a fire truck

**Next town board meeting: Thursday, December 14, 2006, at 7:30 p.m.  
Palmyra Town Hall**