

REGULAR MEETING OF THE TOWN BOARD

**PALMYRA TOWN HALL
MARCH 25, 2010**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, March 25, 2010, 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 Welch, Councilman
- Michael Lambrix, Councilman
- Todd J. Pipitone, Councilman

ROLL CALL

Councilman David Nussbaumer was excused

Also attending the meeting: Palmyra Highway Superintendent, Mike Boesel, Code Enforcement Officer Bob Grier, *Courier-Journal* reporter Billie Rae Walker, and Roy Wilck.

MEETING ATTENDANCE

Motion was made by Mike Lambrix to approve the minutes of the February 25, 2010 meeting of the Town Board.

MTN: APPROVE MINUTES OF TOWN BOARD MEETING 2/25/2010

Second: Todd Pipitone

Vote: 4 Ayes. Carried.

Motion was made by Mike Lambrix to approve the minutes of the March 9, 2010 meeting of the Town Board.

MTN: APPROVE MINUTES OF TOWN BOARD MEETING 3/9/2010

Second: Jim Welch

Vote: 3 Ayes. Carried.

Todd Pipitone abstained as he was not in attendance on March 9.

COMMUNICATIONS

Wayne County Sheriff's Office Monthly Report: Supervisor Miller obtained a copy of the February 2010 report from the office of Wayne County Sheriff Barry Virts, with information about Palmyra complaints, arrests, motor vehicle accidents, etc. Total complaints received for the month = 198. This includes all information from the Sheriff's office, including town and village. Ken thought this report would interest Town Board members.

WAYNE COUNTY SHERIFF'S OFFICE MONTHLY REPORT FOR FEBRUARY 2010

REPORTS OF STANDING COMMITTEES

Economic Development and Appeals Committee – Todd Pipitone, Chairman

TOWN BOARD
CONSIDERS
RESOLUTION FOR
BUTLER
CORRECTIONAL
FACILITY

Todd Pipitone had a point of information for Board members concerning rural businesses statewide being eligible for loans through the USDA's Rural Development Business and Industry Loan Guarantee Program. More information is available at 315-477-6400 or on www.rurdev.usda.gov/ny.

Highway Committee – James Welch, Chairman

March Highway Department Report: Mike Boesel submitted his report through March 25:

Highway Superintendent Report
for Town Board Meeting
03/25/10

1. Since the 2/25/10 meeting we have completed the following work:
 - Routine equipment servicing to most vehicles.
 - Plowing/Sanding – We have not made any trips since Feb.28th. To date this season we have made a total of 96 trips out of the barn. At this time in March 2008 we had made 98 trips and March 2009 we had 92 trips.

MARCH HIGHWAY
DEPARTMENT
REPORT

Other miscellaneous items include:

- **Late February Snow Storm** – We survived the big snow storm at the end of February. This was the first time a snow day was taken by the schools since January 7, 2009.
- **Street Sweeping/Yard Cleanup** – We swept all our roads and intersections during the past two weeks. We took most of our snowfence down during the week of the 15th-19th. We started yolk-raking roadsides and cleaning roadside debris. We will start snow plow/lawn damage repairs in April.
- **Pothole Patching** – We have been around the entire Town to patch up after the hard winter.

- **Tree Work/Brushmowing** – We completed tree work on Cole Road and Parker Road. We started brushmowing on Jagger Road.
- **Palmyra Municipal Auction** – The date is Saturday May 8, 2010. This is our 25th year! I will have an Auction Surplus List on the agenda for approval at the April meeting.
- **Advocacy Day** – I attended our annual Advocacy Day on March 9th and 10th in Albany with over 550 other Town, County and Village Superintendents to ask our legislators to maintain our current CHIPs funding levels.
- **Training** – We attended a free Dig Safely NY seminar along with approximately 500 others in Farmington last week.
- **NYSERDA Energy Audit** – I submitted for an energy audit for the Town Hall Facility and Highway Facility at the end of February. I expect that this energy audit will be performed in the coming weeks.
- **Canandaigua Street Project** – I expect that we will have a pre-construction meeting for this Village street project sometime in April. I will keep you posted the project start date, the pre-construction meeting date and the traffic detour.
- **Equipment -**
 - **10-Wheel Truck Update** – The truck we ordered in December has been at Tenco USA in Avon getting the hydraulics, dump body and snow plow equipment installed. I expect to receive the truck before the next Town Board meeting.
 - **Auction Surplus List** – I am developing this list for the April TB meeting.
 - **Bobcat Purchase Approval** - I am asking permission to place the order for our new Bobcat. This was a budgeted item. Not to Exceed Cost - \$26,892.00

**MARCH
HIGHWAY
DEPARTMENT
REPORT**

Any questions, comments or concerns I will be glad to answer.

2. **Drug & Alcohol Testing Contract:** In years past, the Town has contracted with Newport Alliance for required drug and alcohol testing. They are no longer in business, so Mike Boesel called 3 contractors. He is now recommending approval of a contract with Advanced Occupational Services, whose owner is the person who did the testing for Newport Alliance.

**DRUG AND
ALCOHOL
TESTING
CONTRACT**

PROPOSED
BOBCAT
PURCHASE

3. **Proposed Bobcat Purchase:** Mike said he would like approval to purchase a new Bobcat, as part of the rollover program he has in place for a new steer skid loader. The price is \$26,892 per the State contract.

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

FACILITIES,
OPERATIONS &
PLANNING
MARCH REPORT

Mike Lambrix reported he had asked Mike Boesel to power wash the runner in the Town Clerk's office to see if the stains can wash clean. He also said that Bob Grier had changed the furnace filter recently, and that Lang Heating is due for a furnace check.

Zoning Committee – David Nussbaumer, Chairman

1. **CEO Report:** March's CEO Report was distributed to Board members. Bob said the Morrison trial scheduled for March 16 had been postponed until March 25. Bob said the last page contains items he would like to try, including updating the Zoning Code, and changes in the building permit fee schedule:

Update Zoning Code:

1. Addition of language that sunsets use variances that are not implemented within a fixed time frame or are abandoned after 1 year of inactivity.
2. Increase list of "special use" within a specific zoning district such as:
 - a. Retail sales of goods and services
 - b. professional services
3. Incorporate and update the mobile home park regulations into the zoning code.

Building permit fee schedule:

1. Require a deposit fee with each permit to insure final inspections are completed and a C of O is issued.
2. Change the paying of building permit and other fees from our office to the town clerk's office. Details to be worked out.
3. Increasing certain fees to fall in line with surrounding jurisdictions.

CEO MARCH
REPORT

4. **Zoning Board Meeting Minutes:** The Town Zoning Board of Appeals met on March 11th with a copy of those meeting minutes in Board members' packets of information this evening.

**ZONING BOARD
3/11/10 MEETING
MINUTES**

INFORMATIONAL ITEMS

1. **Assessor's Report for March:** Board members read the Assessor's Report without comment.
2. **Town Clerk's Office Report for March:** Board members read the Town Clerk's Office Report without comment.
3. **Passport Clinic Schedule:** Included in Board members' packets is the 2010 Passport Clinic schedule, which Ken Miller wanted the Board to have. This year, Palmyra Town Hall has not been scheduled for a clinic.
4. **Spring 2010 Regional Local Government Workshop:** Board members are again invited to the Burgundy Basin Inn on May 14 for the Spring 2010 Regional Local Government Workshop. Dave Nussbaumer attended last year's workshop, saying it is well worth the effort to go. Board members should contact Lynne Green to make arrangements for attendance.
5. **Palmyra Community Library:** Palmyra residents have noted the new amounts on their Town tax bills for the Palmyra Community Library. A request was made to Town Clerk Lynne Green that Town Board members receive copies of the meetings of the Library Board of Trustees and to keep up to date on issues brought up at these meetings. Lynne copied the minutes of meetings from January 22, 2009, to February 11, 2010, which are available at the library web site: palmyra.pls-net.org. Town Board members each received a copy of the February 11, 2010 Library Board meeting minutes.

**ASSESSOR'S
REPORT FOR
MARCH**

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

**PASSPORT
CLINIC
SCHEDULE**

**SPRING 2010
REGIONAL
LOCAL
GOVERNMENT
WORKSHOP**

**PALMYRA
COMMUNITY
LIBRARY BOARD
MEETING
MINUTES**

**PUBLIC INPUT
ABOUT
AMBULANCE
MERGER
PROPOSAL**

6. **Public Input:** Supervisor Miller asked those in attendance if they would like to take the opportunity to comment about any town issue. Roy Wilck, East Palmyra resident, spoke up with a concern about the proposed ambulance merger. He said some of his neighbors were worried that a merger would mean delayed response times in an emergency. Councilman Mike Lambrix spoke up saying that the Town Board watched a PowerPoint presentation by proponents of such a merger, as well as the Village of Palmyra and the Village of Macedon. Mike encouraged Roy to tell his friends and neighbors to go and view the presentation themselves before making assumptions. Currently, there have been 29-minute response times, whereas the average NY State response time is 9 minutes. Ken Miller added that the presentation will be shown at the next Pal-Mac School Board meeting on the 13th of April.

AGENDA ITEMS

1. **Approve Modification of Wayne County Water and Sewer Authority's Regional Water Supply Permit:** A letter from the WCWSA was received concerning "Modification of WCWSA's Regional Water Supply Permit, Notice of Intent to Establish Lead Agency (SEQR Classification: Type I)." The letter reads in part:

"In July of 2009, the Wayne County Water & Sewer Authority (WCWSA) circulated an Environmental Assessment Form (EAF) regarding the modification of its Regional Water Supply Permit issued by NYSDEC in 2001. However, the list of Involved and Interested Agencies was later discovered to be incomplete. Subsequent to an informational meeting held with NYSDEC in January 2010, it was determined that the EAF should be updated with additional background information, and information regarding potential growth-inducing impacts, and re-circulated to Involved and Interested Agencies.

"In this regard, we have attached the revised EAF for your review pursuant to the State Environmental Quality Review Act (SEQRA). Please be advised that the WCWSA intends to establish itself as Lead Agency for the purpose of implementing SEQRA requirements with respect to the proposed action....

**MODIFY WCWSA
REGIONAL
WATER SUPPLY
PERMIT TO
MAKE WCWSA
LEAD AGENCY**

"The Wayne County Water & Sewer Authority is proposing to modify their 2001 Regional Water Supply Permit issued by NYSDEC. This Regional Permit allows WCWSA to extend water service, without further Public Water Supply Permits, to areas located in any part of the Wayne County municipalities that have executed lease/management agreements with the WCWSA.

"In accordance with 6NYCRR Part 617, all Involved Agencies must agree upon Lead Agency designation within 30 calendar days of the date that this letter and the enclosed EAF were mailed."

Board members discussed the issue and had no problem with Wayne County Water and Sewer Authority acting as Lead Agency for this Regional Water Supply Permit. Mike Lambrix made the motion to approve this request.

**MTN: APPROVE
WCWSA AS
LEAD AGENCY
FOR REGIONAL
WATER SUPPLY
PERMIT**

Second: Jim Welch

Vote: 4 ayes. Carried.

2. Approve Advanced Occupational Services Agreement:

The Board asked Mike Boesel his opinion of going with Advanced Occupational services for the required drug and alcohol testing his department is involved in. Mike said he checked out three testing companies, but chose this one because the owner is the person who has been doing the testing for Newport Alliance in past years, and he felt confident they could deliver the services properly. Jim Welch made the motion to approve random drug and alcohol testing by Advanced Occupational Services.

**MTN: APPROVE
ADVANCED
OCCUPATIONAL
SERVICES
AGREEMENT
FOR RANDOM
DRUG AND
ALCOHOL
TESTING**

Second: Mike Lambrix

Vote: 4 ayes. Carried.

A copy of this agreement is included with these minutes as Attachment A.

3. Municipal Auction Surplus List: No list was provided by Mike Boesel this evening.

**NO AUCTION
SURPLUS LIST**

4. Approve Purchase of New Bobcat: There was no further discussion about the proposed purchase. Jim Welch made the motion to approve the purchase of a new Bobcat, not to exceed \$26,892.

**MTN: APPROVE
NEW BOBCAT
PURCHASE NTE
\$26,892**

Second: Todd Pipitone

Vote: 4 Ayes. Carried.

