

REGULAR MEETING OF THE TOWN BOARD

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, July 24, 2003, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, was called to order at 8:00 PM by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following board members were present:

Town Board Members: David C. Lyon, Supervisor
James Welch, Councilmember
Michael Lambrix, Councilmember
Kenneth Miller, Councilmember

ROLL CALL

Councilmember David Nussbaumer was absent

Also in attendance at the board meeting:

Tom Adams, representing the *Courier-Journal*

Robert A. Grier, Code Enforcement Officer

Nelson F. Cook, Highway Superintendent

**MTN:
APPROVE
MINUTES OF
6/26/2003 MTG.**

Motion was made by Michael Lambrix to approve the minutes of the June 26, 2003 meeting of the Town Board. Seconded by Ken Miller. Voting was unanimous.

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Ken Miller, Chairman

Ken Miller reports a list of action items are being worked on. On Monday, July 28, professional cleaners will arrive to clean carpets and carpet runners in both entrances. Last week, cabinets were brought in to Bob Grier's offices and in the process, the installers stained the carpeting with ink. Quotes are now being sought for stain removal. Concerning the grant made available to the town for trees to replace damaged ones in the ice storm, it was decided not to pursue the funds. He reported that contractors are now checking out roof repairs for Town Hall as well as window replacements, so we should be receiving bids soon to have the work done. These items are included in the grant we received from State Senator Nozzolio. Ken now has three different policies for building use and is in the process of writing up a draft for our use.

**UPDATE ON
WORK DONE
AT TOWN
HALL**

Ken and Nelson Cook are working together to get Town Hall's parking lot repaved and striped. Three quotes were received: \$2,928 from All County, \$3,320 from Villager, and \$5,237 from Pooler Enterprises based on ten-hour day. This would involve renting the paver for a day, and labor.

MTN: AWARD CONTRACT FOR REPAVING PARKING LOT

Motion was made by Ken Miller and seconded by Michael Lambrix to award the contract for repaving the parking lot to All County Paving not to exceed \$3,500. Asphalt will be purchased by the town from the county bid approx. 325 tons for \$9,000. Cook estimates the total ballpark figure to be \$12,628 estimated cost depending on current price of asphalt. Voting was unanimous.

MTN: APPROVE TACK COAT FOR PAVING PROJECT

A second motion was made by Ken Miller to approve Tack Coat for the asphalt by DeCann Distributors not to exceed a cost of \$3,000 for paving and \$700 for the Tack Coat. It was seconded by Michael Lambrix. Voting was unanimous. Nelson Cook reported that the asphalt purchase would be on the county contract and the price may vary from day to day.

Highway Committee – Michael Lambrix, Chairman

REDUCED SPEED LIMIT ON LUSK RD. IN PLACE

1. Nelson Cook reports the new speed zone on Lusk Road is in place as of July 17, 2003. Signs showing the reduced speed have been installed. This was in response to residents' complaints and petition that the speed limit be reduced to 40 m.p.h.

FEMA FOLLOW-UP AND FINAL DISPOSITION OF DEBRIS FROM APRIL'S ICE STORM

2. On July 25, there was a third meeting with FEMA to make sure we're "in the right direction" concerning the funds for disaster recovery after the ice storm. Cambier, Fagner and Harris Roads, to name a few, still have trees in the right of way. The meeting was to determine the dates for submitting reimbursement for work done, and to be able to recover the costs of tree professionals who will be cleaning those areas. He also reported that the chipping of the debris at the corner of Maple Ave. Quaker Rd. is nearly all done. Though the piles of chips are not good for garden mulch until next year when they have had a chance to compost, he is looking into posting a notice that will have some highway crew assist with loading chipped mulch for residents on August 22 and 23.

CURRENT TOWN ROAD IMPROVEMENT PROJECTS

3. He reported that his crew is focusing on widening the shoulders on Parker, LeRoy and Cole Roads this season. His crew is now on the second round of mowing along the roadsides all around the town.

MTN: APPROVE HWY SUPT. FALL CONF. REQUEST

4. Nelson requested board permission to attend the Highway Superintendents' Fall Conference on September 23 – 26 using funds already budgeted. Motion was made by Mike Lambrix and seconded by Jim Welch that he be able to attend the conference with a cost not to exceed \$600. Voting was unanimous.

5. He also noted that the town has received a check from Morrison Excavating for \$681.75, to cover the second quarter 2003 payment for the gravel extracted from the end of Division Street.
6. Corner of Hogback Hill Road and Galloway Bridge Road: Are more stop signs needed? A recent traffic count study determined that the intersection is okay the way it is, but it may be that the county should do a new traffic study. Consensus among board members is that another survey will be requested.

**MORRISON
EXCAVATING
QUARTERLY
PYMT.**

**STOP SIGNS
NEEDED FOR
HOGBACK &
GALLOWAY
RDS?**

Planning Committee – James Welch, Chairman

Chairman Welch noted that this is actually a zoning issue rather than a planning issue, but he had been contacted by a resident concerning trailers on Division Street. There have been several old trailers cited with numerous code violations. One unit was really bad and was removed. The other is still there and, although the town mows around this abandoned unit, it is still an eyesore. The resident is not happy with the lack of progress in removing it.

**RESIDENT
CONCERN
ABOUT OLD
TRAILERS ON
DIVISION ST.**

Code Enforcement Officer Grier said he would write the owner to see if the second one could be removed. There is also a garage on the property. It appears to be okay, but is filled with trash. This could prove to be a fire hazard, so the owner may be asked to remove the contents. For the town to remove a building, it would take at least three months to process the violation. Bob can request the town to mow so the property is not unsightly, but he will address this through the normal channels, and see if he can also get the garage cleaned out.

Zoning Committee – David Nussbaumer, Chairman

1. CEO Report for July: Code Enforcement Officer Bob Grier submitted a report detailing permits issued from 6/26/03 to 7/23/03. Grier reported that in the first 6 months of 2003, the town has issued as many permits as were issued in all of 2002. In the past month alone, permits were issued for over \$1 million in assessed value.
2. Code Enforcement Software: We have received a reimbursement of \$3,000 from the State Code Enforcement Office. The funds were available for software, training and support for our new software described in last month's town board meeting.

**CEO REPORT
FOR JULY**

**SOFTWARE
REIMBURSEMENT
RECEIVED**

INFORMATIONAL ITEMS

1. Bond Anticipation Note: It was announced to the board that the Bond Anticipation Note releasing partial funds for the Garnsey-Shilling Area

Water District was accomplished on July 16 by Supervisor Lyon and Town Clerk Green at HSBC bank branch in Palmyra.

**ASSESSOR'S
RPT. FOR JULY**

- 2. Assessor's Report: Elaine Herman, Town Assessor, submitted her July 24, 2003 report to the board of activity in her office throughout the previous month. She requested a software upgrade for her PCs from Windows 98 to Windows 2000 at a cost of \$135 for each of her two PCs.

**MTN: SOFTWARE
UPGRADE FOR
ASSESSOR OFC.
USING STAR
FUNDS**

With enough funds in her STAR account to cover the cost of this upgrade, board member Mike Lambrix moved that she be authorized to spend \$270 of STAR money to make this upgrade. Jim Welch seconded the motion. Voting was unanimous.

**ARCHIVES/
REGISTRAR RPT.
FOR JULY**

- 3. Archives/Registrar Report: An Archives Report was prepared for the board by Betsy Lewis, Deputy Town Clerk, detailing Archives work progress for the previous month, a workshop on NY State Archives Disaster Planning & Response for Records Managers which Palmyra hosted, Web site updates, and changes in fees which are being implemented statewide. On July 23, the Town Clerk's office was notified by the NY State Department of Health that for certain Registrar duties and for genealogical searches and copies the fees would be raised. While they notified town offices, apparently they were not planning statewide public notification. These fees are then split between the local municipality and the state. We would receive a portion of the increase and the state portion would also increase. If we do not raise the fees, the portion we would be required to forward to the state would be about the same as the former fee which we took in. That could put us in a deficit situation that would not compensate us for our time and efforts. It becomes necessary, then, to increase our fees to keep in line with the statewide change.

**MTN: INCREASE
MARRIAGE LIC.
FEE TO \$40**

Mike Lambrix moved that the Town of Palmyra follow the new state fee schedule for marriage licenses to increase the fee from the present \$25 to \$40. Jim Welch seconded the motion. Voting was unanimous.

**MTN: INCREASE
FEE FOR
GENEALOGY
SEARCHES TO
\$22**

Ken Miller moved that the Town of Palmyra follow the new state fee schedule for genealogical searches and copies, to increase the fees from the present \$11 to \$22. (When a search is conducted, there are no guarantees that the information will be found. Whether the information is in our archives or not, the fee covers time and effort involved in effecting the search.) Mike Lambrix seconded the motion. Voting was unanimous.

**UNSIGNED
OATHS OF
OFFICE**

- 4. Unsigned Oaths of Office: Oaths of office for 2003 still have not been signed by several employees. The Town Clerk's office will be contacting them to complete our records.

5. Wayne County Fair Parade: This year's Wayne County Fair parade is on Friday, August 15, 2003 at 7 p.m. It was decided to use Ken Miller's pickup truck for our vehicle with the magnetic signs on the side which say "Palmyra Town Officials" and all sit in the back of the truck. Parade lining-up is at 6:30 p.m. at Getty Mart. **WAYNE CO. FAIR PARADE INFO**
6. Wayne County Master Plan: The Wayne County Master Plan Community Forum meets Monday, July 28 at 7 p.m. at Sodus High School. No board members were available to attend. **WAYNE CO. MASTER PLAN MTG.**
7. Volunteer service projects at Town Hall: Town Clerk Lynne Green reported that two teams of cast members from this year's Hill Cumorah Pageant came to the Town Hall on July 15 and 18 to perform various community service projects. Some painted the Town Clerk's office, some painted other things around the building, others trimmed bushes and trees, pulled weeds and spread topsoil on some ruts in the back yard. Lynne Green was directed to send a thank you note for the work that was done. **VOLUNTEER SERVICE PROJECTS AT TOWN HALL**

AGENDA ITEMS

1. Changes to the Deferred Compensation Model Plan: A resolution to amend and restate the Model Plan for employees of the Town of Palmyra was presented to the board for their approval. The resolution follows. The Model Plan is on file in the Town Supervisor's office.

Resolution to Amend and Restate the Model Plan

WHEREAS, the New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Town of Palmyra (the "Model Plan") and offers the Model Plan for adoption by local employers;

WHEREAS, Town of Palmyra, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Town of Palmyra;

WHEREAS, effective January 1, 2003, the Board amended the Model Plan to adopt provisions relating to regulations pertaining to Section 457 and Section 401(a)(9) of the internal Revenue Code, technical amendments to the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA") as they apply to the Model Plan and to adopt modifications that update certain administrative provisions;

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

**RESOLUTION:
CHANGES IN
DEFERRED
COMPENSATN
MODEL PLAN**

WHEREAS, upon due deliberation, Town of Palmyra has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Town of Palmyra by adopting the amended and restated Model Plan.

NOW, THEREFORE, BE IT

RESOLVED, that Town of Palmyra hereby amends the Deferred Compensation Plan for Employees of Town of Palmyra effective July 24, 2003 by adopting the amended and restated Model Plan effective January 1, 2003, in the form attached hereto as Exhibit A.

IN WITNESS WHEREOF, the undersigned have executed this Resolution in Wayne County, New York this July 24, 2003 and directed that it be filed as appropriate.

David C. Lyon
Supervisor

**GARLOCK BLDG
RENOVATIONS
PROJECT
UPDATE**

- 2. Garlock Building renovations in village: Supervisor Lyon met with the Mayor and project leaders to consider the progress of the renovations. Lyon made some recommendations to the board based on information from the meeting: it makes sense to have the village be the lead agency for the project since the building is in the village. As far as the proposed Payment In Lieu of Taxes (PILOT) schedule is concerned, the village board of trustees has already approved the plan and is ready for the project plans to move forward. Board members concurred with these recommendations and Mike Lambrix moved that the PILOT schedule be approved as submitted by the developers and that the town will rescind its approval, made at the town board meeting of June 26, to be lead agency for the project. Jim Welch seconded the motion. Voting was unanimous.

**MTN: TO APPRV
PILOT
SCHEDULE &
RESCIND
APPROVAL OF
TOWN BEING
LEAD AGENCY**

- 3. Motion to approve claims and expenditures as shown on Abstract #54, which includes voucher numbers 4231 to 4304, with a total amount of \$61,722.76, was made by Mike Lambrix and seconded by Jim Welch. Voting was unanimous, with Dave Lyon abstaining on voucher #4270.

**MTN: APPROVE
ABSTRACT #54**

- 4. At 8:50 p.m., Mike Lambrix made the motion to adjourn the meeting. Jim Welch seconded the motion. Voting was unanimous.

**MTN: TO
ADJOURN MTG.**

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

Next town board meeting is scheduled for Thursday, August 28, 2003 at 8 p.m. at the Town Hall.