

## **REGULAR MEETING OF THE TOWN BOARD**

### **PALMYRA TOWN HALL APRIL 13, 2010**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Tuesday, April 13, 2010, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, for a visit from newly-elected Wayne County Sheriff Barry Virts, and other matters of business to come before the Board.

**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  
David Nussbaumer, Councilman  
James Welch, Councilman

**ROLL CALL**

Councilman Todd Pipitone was excused  
Councilman Michael Lambrix was excused

The following were in attendance at this meeting: John Schlafer, Palmyra Highway Superintendent Mike Boesel, and Wayne County Sheriff Barry Virts.

**MEETING  
ATTENDANCE**

### **DISCUSSION**

As part of newly-elected Sheriff Barry Virts's project to visit with Wayne County elected officials, he was welcomed by the Supervisor and Town Board. Since taking office at the beginning of 2010, he has made a number of changes and priorities to the administration of retired Sheriff Richard Piscioti. Sheriff Virts wants his deputies to have more public exposure, including festivals around the county with police protection, being a part of the WayneNet communications link, combining police training—such as firearms training, and training of local Chiefs of Police. Court Security is being combined with jail training through county agencies, a focus on behavior modification—especially with first-time offenders. He is very much aware that his department is almost entirely funded by local taxpayers. Of his \$34 million budget, 20% is earmarked just to the jail.

**DISCUSSION OF  
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ISSUES AND  
IMPLEMENTA-  
TIONS**

The County Civil Office and the Records Office are now combined, dealing with pistol permits, evictions, working with court judges and criminal investigations and records.

The Civil Office deals with garnishees, judgments, and legal papers—having served over two thousand papers and rental evictions last year.

In addition, his department includes the Canine Unit (K-9), marine, youth, accident investigations, emergency response, public service classes, Senior awareness, and detectives.

He views his job as Sheriff one which connects with highway departments, fire departments, and ambulance services. He is highly aware of the differences between needs and wants in his budget.

Palmyra Highway Superintendent Mike Boesel commended Sheriff Virts for better communication around the county this past winter, letting local highway departments know through the E911 communication system about approaching storms and bad roads.

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Councilman Jim Welch asked if Palmyra is adequately covered with police services. Sheriff Virts answered that with the New York State Patrol, Palmyra Police Department in the Village, and the Wayne County Sheriff's Department, coverage is "okay now," although there is a delicate balance in providing service. He added there are 39 State Troopers in Wayne County at this time. He is trying to correct scheduling problems, with a goal of being as cost effective as possible.

Jim also asked what his thoughts were about changing from a Villagewide Police Department to a Townwide Police Department. Virts answered that this is not a decision that should be "top down." He feels a referendum of local residents is best, with shared services to help contain costs, and good memos of agreement and memos of understanding. He feels that the voters should have the final say in changes such as this.

Virts says he has six unions that he works with: CSEA, CSEA Supervisors, Hall of Justice, Corrections Officers, Police and Police Lieutenants. He tries to combine tasks and functions with union members. He is writing a column in local newspapers, as well as providing monthly departmental statistics, including types of jobs assigned to deal with local complaints, arrests made, and numbers of motor vehicle accidents.

A new program he is implementing is the Medication Return Program, where unused medications can be collected and disposed of, reducing risks of others misusing medications left around the house.

Mike brought up that the Sheriff's department is now also using electronic devices where possible to free up deputies, such as speed radar signs, especially for school crossings. There will be radar signs during the upcoming Canandaigua Street renovation project. There will be a pre-construction meeting on April 26<sup>th</sup>, at 6:30 p.m. at the Village Hall, with information for residents, although we are now starting to see preliminary things now.

Virts stated that pet peeves of his include drivers using cell phones and texting while driving, and other types of driver inattention. He feels police need to set the example, and does not want police using electronic equipment while driving.

At 8:07 p.m., Supervisor Ken Miller thanked Sheriff Virts for speaking plainly and honestly with those present this evening. He wished the sheriff well in implementing his programs and ideas. At this point, the regularly-scheduled town board meeting resumed.

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**INFORMATIONAL ITEMS**

1. **Water Improvement Areas Pre-Construction Meeting:** Interested parties to the Johnson/Floodman/Parker Roads Water Improvement Areas met on April 2 to finalize paperwork and to authorize the construction of the project. The first road to receive the water pipes will be Parker Road, starting April 5, for about two weeks. Next will be Floodman and East Palmyra-Port Gibson Roads for about three weeks, and lastly, Johnson Road, starting at the Palmyra Village line. If weather conditions permit, construction will move right along, as the ground is soft enough to dig. Residents have been sent instructions on how to pay and whom to pay the hook-up fee, as well as all details about hooking up to the new system. Hook-up fees will be handled at the Wayne County Water and Sewer Authority offices on Daansen Road.
2. **Highway Report for First Two Weeks of April:** Mike Boesel briefly discussed a few items his crew has been working on, and informed the Board he would be on vacation for over a week, with Deputy Highway Superintendent Michael Paul in charge. He reminded Board members that the Municipal Auction is set for May 8. He also said construction will begin soon for the Village renovation of Canandaigua Street. Mike provided the Board with several options for his 644 Loader's warranty. The

**WATER  
IMPROVEMENT  
AREAS PRE-  
CONSTRUCTION  
MEETING**

**HIGHWAY  
REPORT FOR  
FIRST TWO  
WEEKS OF  
APRIL**

current warranty is close to its end date. Mike provided a list of time extensions from 24 to 60 months, and choice of power train + hydraulic coverage, as well as full machine coverage. Several options were explored and discussed.

NO PUBLIC  
COMMENTS

- 3. **Public Comments:** There were no items of public input this evening.

**AGENDA ITEMS**

MTN: APPROVE  
\$50 REGISTRATION  
FEE FOR DAVID  
NUSSBAUMER  
TO ATTEND SPRING  
2010 REGIONAL  
LOCAL GOVERN-  
MENT WORKSHOP

- 1. **Approve Spring 2010 Regional Local Government Workshop Attendance:** Councilman David Nussbaumer indicated his interest in attending the Spring 2010 Government Workshop on May 14<sup>th</sup>, as he had done in 2009. He encouraged his fellow Board members to do so also. Jim Welch made the motion to approve Dave’s \$50 early registration fee.

Second: Ken Miller

Vote: 3 Ayes. Carried.

RESOLUTION:  
STANDARD WORK  
DAY AND  
REPORTING

- 2. **Standard Work Day and Reporting Resolution:** New York State has approved a law concerning elected and appointed officials and their standard working day times, specifically to substantiate their hours for retirement purposes and calculations.

Elected officials are to keep track of their working hours for at least the first three months right after being elected. Appointed officials are to keep track of their working hours for three months following each time they are appointed, unless they regularly turn in time sheets with their hours of work listed.

The sample Standard Work Day and Reporting Resolution sent to the Town provided by New York State reads:

RESOLUTION:  
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*"BE IT RESOLVED, that the Town of Palmyra hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body."*

A table was included with this resolution listing titles, names, standard work day (hours per day), term begins/ends, Participates in Employer's time keeping system (yes/no), and days per month (based on record of activities). At the bottom of the form is a certification by the clerk stating the information on the sheet is correct and that it was approved by the Town Board. Dave Nussbaumer made the motion to approve the Standard Work Day and Reporting Resolution.

**MTN: APPROVE  
RESOLUTION:  
STANDARD  
WORK DAY AND  
REPORTING**

Second: Jim Welch

Vote: 3 Ayes. Carried.

To date, the Town Clerk has received three-month schedules from Supervisor Ken Miller, Councilman Dave Nussbaumer, Code Enforcement Officer Bob Grier, Bookkeeper Petra Anderson and Assessor Elaine Herman.

3. **Appoint Palmyra Representative to Wayne County Youth Board:** Supervisor Ken Miller needed to appoint a representative from the Town of Palmyra to the Wayne County Youth Board, of the Wayne County Department of Aging and Youth. He proposed that the Town Board approve naming William S. Campbell as this representative. A completed Wayne County Youth Board Adult Application by Bill was provided to Board members. Dave Nussbaumer made the motion to approve the appointment of William S. Campbell as the Palmyra Representative to the Wayne County Youth Board, Department of Aging and Youth, effective April 13, 2010.

**MTN: APPPOINT  
WILLIAM  
CAMPBELL AS  
PALMYRA  
REPRESENTA-  
TIVE TO WAYNE  
COUNTY YOUTH  
BOARD**

Second: Jim Welch

Vote: 3 Ayes. Carried.

4. **Approve Auction Surplus List:** It was decided to wait until the next Town Board meeting to act on the Auction Surplus list.

**NO ACTION ON  
AUCTION  
SURPLUS LIST**

5. **Highway School in Ithaca:** Mike Boesel asked the Town Board to approve his attendance at Highway School in Ithaca on June 6 through 9. If he registers and pays early, the fee is \$300 plus hotel expenses. Board member Jim Welch made the motion to approve Mike's attendance at Highway School in Ithaca, with registration fee not to exceed \$300.

**MTN: APPROVE  
MIKE BOESEL  
TO ATTEND  
HIGHWAY  
SCHOOL**

Second: Dave Nussbaumer

Vote: 3 Ayes. Carried.

**ACTION ON  
WARRANTY  
EXTENSION FOR  
JD 644 LOADER  
TABLED**

- 6. **Warranty Extension for JD 644 Loader:** Asking for more time to look over the various options for the warranty extension on the JD 644 Loader, the Board decided to table action on this until next month.

**MTN: ENTER  
EXECUTIVE  
SESSION FOR  
MATTERS OF  
PERSONNEL**

- 7. **Motion to Enter Executive Session:** At 8:35 p.m., Dave Nussbaumer made the motion to enter Executive Session to discuss matters of personnel.

Second: Jim Welch                      Vote: 3 Ayes. Carried.

At 9:30 p.m., Supervisor Ken Miller declared the Board out of Executive Session.

**MTN: ADJOURN  
MEETING**

- 8. **Motion to Adjourn:** At 9:31 p.m., Dave Nussbaumer made the motion to adjourn the meeting.

Second: Jim Welch                      Vote: 3 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

**NEXT TOWN BOARD MEETING:**

**THURSDAY, APRIL 22, 7:00 P.M.  
EAST PALMYRA FIRE HALL**