

**REGULAR MEETING OF THE TOWN BOARD
August 28, 2008**

In the absence of Supervisor Lyon, at 7:30 p.m., Deputy Supervisor David Nussbaumer called to order the regular town board meeting, scheduled to be held on Thursday, August 28, 2008, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY.

CALL TO ORDER

Deputy Supervisor David Nussbaumer led those present in the Pledge of Allegiance to the Flag.

PLEDGE OF ALLEGIANCE

Upon roll call, the following board members were present:

- David Nussbaumer, Deputy Supervisor
- James Welch, Councilman
- Kenneth Miller, Councilman
- Mike Lambrix, Councilman
- Supervisor David C. Lyon was absent.

ROLL CALL

Also attending the meeting:

Michael Boesel--Highway Superintendent, Roy Wilck, Billie Rae Walker--reporter from the *Courier-Journal*, and Bob Grier--Code Enforcement Officer.

MEETING ATTENDANCE

Motion was made by Mike Lambrix to approve the minutes of the July 24, 2008 meeting of the Town Board.

**MTN: APPRV
7/24/2008 TOWN
BOARD MTG
MINUTES**

Second: Jim Welch

Vote: 4 Ayes. Carried.

COMMUNICATIONS

1. United Way 1st Annual Canal Walk: Town elected officials are invited to participate in the 1st Annual Canal Walk, sponsored by the United Way of Wayne County and ARC, "to raise funds and build awareness for programs that positively impact our community and both organizations." The event, at T. Spencer Knight Park in Newark, on October 4th, was outlined in an invitation given to each town board member to consider.

INVITATION TO PARTICIPATE IN UNITED WAY OF WAYNE CO./ARC FUNDRAISER

**EAGLE SCOUT
CONGRATULA-
TIONS**

2. Eagle Scout Congratulations: A letter, addressed to the Palmyra Town Clerk, announced that Palmyra Troop 96 Boy Scout Matthew Weimer would be receiving his Eagle Award on August 9. The letter invited the Town Clerk to write a letter of congratulations on behalf of the Town of Palmyra, to be included with other well-wishers' letters in a scrapbook keepsake. Lynne Green sent the letter to the Eagle Scout Coordinator on behalf of the Town.

REPORTS OF STANDING COMMITTEES**Buildings and Grounds Committee – Kenneth Miller,
Chairman**

Ken Miller reported that the Handicap ramp at the South entrance of the building had been repaired during the last month.

He also followed up on the Town Hall cupola repair. He had received several bids, wanted the Town Engineer to "spec it out", and he would have it boarded up for the winter and deal with it again in the Spring. It has been a long time since its last maintenance. Mike Lambrix felt having a structural engineer to take a detailed look at the cupola would be expensive, and suggested that our Code Enforcement Officer, Bob Grier, would be qualified to see how badly deteriorated it is. Bob said he'd be willing to go up into the cupola and report back to Ken on its condition.

**BUILDINGS AND
GROUNDS
REPORT****Highway Committee – James Welch, Chairman**

1. Highway Department Monthly Report: In his report for August, Highway Superintendent Mike Boesel outlined projects his crew has worked on during the month:

Highway Superintendent Report For Town Board Meeting--08/28/2008

Since the 7/24/08 meeting we have completed the following work:

- Ditching –Port Gibson Rd, Hogback Rd, Garnsey Rd, O'meal Rd
- Wedging/Shoulders – Hogback Rd, Garnsey Rd, Vault Rd, P.Gibson Rd, Palmer Rd, Eckert Rd

**HIGHWAY
DEPARTMENT
MONTHLY
REPORT**

- Inter-municipal Assistance
 - 7/29/08 thru 7/31/08 – Marion grader/operator for wedging Vault, Garnsey, P.Gibson Rds.
 - 8/5/08 – Palmyra Bobcat/Milling machine/operator to Macedon Hwy
 - 8/12/08 & 8/13/08 – Palmyra Loader/widner/operators to Walworth for shoulder install
 - 8/13/08 - 2 Walworth trucks for shoulder install on Garnsey Rd
 - 8/14/08 - 2 Palmyra trucks to Marion for chipsealing
 - 8/21/08 - 1 Arcadia truck for wedging Hogback Rd
 - 8/26/08 - Palmyra Bobcat/Milling machine/operator to Macedon Hwy
 - 8/26/08 - WC Hwy track excavator and Pal Hwy install x-culvert – O'Meal int.

Other miscellaneous items include:

- SMSI Grant – SEQR was completed at the June TB meeting. We are continuing to work on Inter-municipal agreements (IMA's) for the three equipment pieces. I expect to present these next month. We received the official contract on 8/20/08. This needs to be reviewed/signed at this time.
- Fuel – Since last August, fuel is up over 86%. Our most recent invoice for fuel had diesel at \$4.24/gallon and unleaded at \$3.60/gallon. In August 2006 diesel was \$2.26 and August 2007 when we started 2008 budget workshops it was \$2.27. We are conserving wherever we can. I provided you with an email of the PMCSD contract approval with Griffith Energy for this coming year along with a copy of the current fuel prices on the NYS OGS Contract as of today's date.
- Salt – With your permission at the last TB meeting I ordered 1000 tons of salt on 8/13/08. We have received the entire order. We purchased at \$29.75/ton. Starting September 1st, the new price will be close to \$42/ton! By ordering early we saved \$11,750.00!
- Below is a chart of several common commodities purchased in large volumes by the Hwy Dept along with the prices paid each year and the 1-year and 4-year % increases.

**HIGHWAY
DEPARTMENT
MONTHLY
REPORT**

	2005	2007	2008	2009	1-year inc	4-year inc
Oil (stone & oil)	\$1.23	\$1.89	\$2.85	?	50.79%	131.71%
Asphalt top	\$34.12	\$42.00	\$69.60	?	65.71%	103.99%
Asphalt binder	\$28.60	\$35.00	\$59.67	?	70.49%	108.64%
Stone (1A chipseal stone)	\$7.75	\$8.50	\$9.00	?	5.88%	16.13%
Pipe (15" plastic)	\$4.45	\$5.83	\$6.33	?	8.58%	42.25%
Salt	\$23.04	\$25.86	\$28.61	\$41.50	45.05%	71.77%
Diesel fuel	\$1.75	\$2.27	\$4.24		86.78%	142.29%

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

Mike added that...

**SALT
PURCHASES
COMPLETE FOR
UPCOMING
WINTER**

- ...with the high price of fuel, salt, sand, etc., he is running short on money. To help alleviate the situation, there are lots of intermunicipal assistance opportunities here. Following the Town Board's advice at the last meeting, he purchased salt until his barns were filled. At \$29.75/ton, he estimates he saved \$11,750 by buying now.

**TRUCK
PURCHASE
AGREEMENT
AND TRADE
WITH CODE
ENFORCEMENT
OFFICE**

- ...he has been working with Bob Grier recently. Mike needs a larger truck and Bob needs a smaller one. Since Mike has budgeted replacements for two trucks this year, in an arrangement worked out between Dave Lyon, Bob Grier and Jim Welch, the Highway Department would buy Bob Grier a new, smaller pickup truck for the Code Enforcement Department, and get Bob's larger truck in exchange. Councilman Jim Welch said this would be beneficial for the town, as this is a base model Ford Ranger, and could be purchased on the State contract. Mike added he had also budgeted for a snow plow for the larger truck.

**CONTRACT
FUEL PRICES
FOR UPCOMING
YEAR
APPROVED BY
PAL-MAC
SCHOOL BOARD**

2. Contract Fuel Prices: Mike provided Board members with a list of fuel prices in Wayne County for the date 8/28/2008. He also provided a copy of an email from the Pal-Mac school district saying the school board has awarded Griffith Oil the fuel bid for the upcoming school year. Town vehicles will be directly impacted.

Planning and Economic Development Committee – Michael Lambrix, Chairman

**PLANNING
BOARD MINUTES
FROM 8/11/2008**

Town Planning Board Meeting minutes of the August 11, 2008 meeting were distributed to Town Board members. There was no discussion by Board members.

**PLANNING
BOARD MEMBER
LYMAN KALLER
SUBMITS
RESIGNATION**

It was noted at this time that, after many years of service, Lyman Kaller submitted a letter of resignation from the Town Planning Board. Since there was a *Courier-Journal* reporter in attendance, Dave Nussbaumer suggested that an announcement for a replacement be included in the article concerning this Town Board meeting. Interested persons should contact the Town Clerk's office.

Zoning Committee – David Nussbaumer, Chairman

- 1. CEO Report for August: Code Enforcement Officer Bob Grier submitted his monthly report for August, summarizing activity through August 28, 2008. After review, the board had no questions.

CEO REPORT FOR AUGUST

- 2. Update on Construction Sites: *Willow Landing Apartments--* Bob updated the Board on the work being done on Phase 2 of Willow Landing. The three new buildings are almost complete. Expected target completion date is October 1.

UPDATE ON CONSTRUCTION SITES AROUND TOWN

*Fairgrounds--*The steel building erected on the Fairgrounds, was not complete by Fair time in August. Now that the County Fair is over, construction is again taking place.

*Cross Creek Church--*Construction is 95% complete. Church members are now putting on the finishing touches.

- 3. Nuisance Properties Update: Attorney John Morell has been involved with the Lyon Road and the Garnsey Road properties legal issues. Yesterday, he talked with the judge in the Morrison case. Things are in process now.

NUISANCE PROPERTY UPDATE

INFORMATIONAL ITEMS

- 1. Town Clerk's Office Report for August: Hunting licenses went on sale in August. Paperwork is complete for Southwest Quadrant Sewer District and delivered to Attorney Paul Rubery. School tax bills are ready to be mailed tomorrow. Tax collection starts September 2. Celeste's printer was replaced this month for under \$200.

TOWN CLERK'S REPORT FOR AUGUST

- 2. Morrison Excavating Quarterly Payment: Check for \$296.25 was received in July from Morrison Excavating for gravel removed from the Division Street gravel pit during second quarter 2008.

MORRISON EXCAVATING QUARTERLY PAYMENT

AGENDA ITEMS

**STILLWOOD
CENTER
REQUEST
TABLED AGAIN**

- 1. Stillwood Study Center Request: The request made in July for the Stillwood Study Center to conduct its community outreach classes without having to request it annually had been tabled to this meeting. The contact person for the Study Center submitted a list of offerings they would like to provide during the upcoming year. A copy of this list was distributed to each Board member. Deputy Supervisor Nussbaumer asked Board members to look over the list and come back to the September Board meeting ready to make a decision.

**MTN: SCHEDULE
TOWN BUDGET
MEETINGS**

- 2. Schedule Budget Meetings: Since department heads have received 2009 budget worksheets, a budget meeting needs to be scheduled for the Board to meet and go over requests for next year. Mike Lambrix made the motion to schedule a budget meeting on September 3rd. If Supervisor Lyon is unable to meet in the Code office, since he is still recuperating, board members will meet at his home. Bob Grier will not be able to meet on September 3rd, so a second meeting would be scheduled for September 10.

Second: Ken Miller

Vote: 4 Ayes. Carried.

**MTN: ACCEPT
LYMAN
KALLER'S
RESIGNATION
FROM TOWN
PLANNING
BOARD**

- 3. Lyman Kaller Resignation: With Lyman Kaller's resignation from the Town Planning Board in hand, and his wish to make it effective immediately, Mike Lambrix made the motion to accept it, with regret and thanks for many years of dedicated service to the Town.

Second: Ken Miller

Vote: 4 Ayes. Carried.

- 4. Resolution for Justice Court Assistance Program Grant Funding: The following resolution was offered to the Board for approval:

JUSTICE COURT ASSISTANCE PROGRAM

WHEREAS, the State of New York has enacted a law establishing the Justice Court Assistance Program 1.999.c280 that will enable communities to apply to the Chief Administrative Judge for a grant of State funds to assist in the operation of justice courts, and

WHEREAS, the availability of grant funding would enhance the ability of the town justice court to provide suitable and sufficient service to the community;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to file an application for a Justice Court Assistance Program grant for the New York State fiscal year ending March 31, 2009.

DATED: August 28, 2008

By Order of the Palmyra Town Board

Mike Lambrix made the motion to approve the resolution for grant funding through the Justice Court Assistance Program.

Second: Jim Welch	Roll Call Vote:	Carried
	David Nussbaumer	Aye
	Michael Lambrix	Aye
	James Welch	Aye
	Kenneth Miller	Aye
	David Lyon	Absent

MTN: APPROVE RESOLUTION FOR GRANT FUNDING THRU JUSTICE COURT ASSISTANCE PROGRAM

5. Truck Purchase: The truck purchase and exchange with the Code Enforcement Office arrangement was agreed to between departments. Jim Welch made the motion to purchase a 2009 base model Ford Ranger on the State contract, not to exceed \$16,066.43.

MTN: PURCHASE 2009 FORD RANGER TRUCK

Second: Ken Miller Vote: 4 Ayes. Carried.

6. Highway Excavation Permit: A request was received from New York Stated Electric & Gas Corporation (NYSEG) for permission to "excavate two 4' x 4' openings off the pavement and to punch the road for the purpose of installing a new 1/2" hd-poly gas service that will serve one new residential customer at 890 Stafford Rd." Mike Lambrix made the motion to grant the request for the Highway Excavation Permit/Work Order #1000240371.

MTN: GRANT PERMISSION FOR NYSEG TO EXCAVATE ON STAFFORD RD.

Second: Jim Welch Vote: 4 Ayes. Carried.

- 7. Authorization to Deputy Supervisor: In the absence of Supervisor David Lyon, it is necessary for the Deputy Supervisor, David Nussbaumer, to sign official papers. Certain agreements and contracts name David Lyon as the official signer for these documents. Ken Miller made the motion to authorize Deputy Supervisor David Nussbaumer to be the official contact person during a temporary period when the Supervisor is unable to serve. When Supervisor Lyon is able to return to his Supervisory duties, he will again assume the role of official signer for these documents.

**MTN:
 AUTHORIZE
 DEPUTY
 SUPERVISOR TO
 SIGN
 DOCUMENTS IN
 SUPERVISOR'S
 ABSENCE**

Second: Jim Welch

Roll Call Vote: Carried.

David Nussbaumer	Aye
Michael Lambrix	Aye
James Welch	Aye
Kenneth Miller	Aye
David Lyon	Absent

- 8. Resolution for Shared Municipal Services Grant: The following resolution was offered for Town Board approval:

**SHARED HIGHWAY SERVICES INCENTIVE
 2007-2008 SMSI GRANT CONTRACT
 TOWN OF PALMYRA
 RESOLUTION**

RESOLVED:

1. The Town Board of the Town of Palmyra authorizes the Deputy Town Supervisor, David Nussbaumer, to sign the Shared Municipal Services Incentive (SMSI) Grant contract for the 2007-2008 Program Year in the absence of the Town Supervisor, David C. Lyon.
2. Since the Town of Palmyra is acting as the "Lead Applicant" for the SMSI grant application, with the Village of Palmyra and the Towns of Macedon and Walworth acting as "Co-applicants," it is necessary for the Deputy Town Supervisor of the Town of Palmyra to sign this Grant contract while the Supervisor is recuperating from surgery and is temporarily unable to serve in his official capacity.
3. Deputy Supervisor Nussbaumer shall be named as the "Lead Applicant Contact Person" on the grant contract form, and the Town Board authorizes Deputy Supervisor Nussbaumer to execute all financial and /or administrative processes relating to the grant program in the absence of the Supervisor. When Supervisor Lyon is able to serve in his official capacity, he will again be considered "Lead Applicant Contact Person."

**RESOLUTION:
 SHARED
 HIGHWAY
 SERVICES
 INCENTIVE
 GRANT
 CONTRACT**

- 4. The grant application was submitted for a "Shared Highway Services Incentive" award that would enable the Town and Village of Palmyra and the neighboring Towns of Macedon and Walworth to jointly purchase and share the use of specialized highway equipment. The Towns and Village have identified the need to purchase a combination vacuum truck/street sweeper, a bucket truck and a rubber-tire excavator. The project has been proposed to reduce the cost of government services by the cooperative purchase of expensive equipment that will be used to maintain stormwater drainage systems, sweep roads and streets, trim municipally-owned trees, replace traffic signal lights and street lights, for excavating soil for various highway and street projects and maintenance activities.

DATED: August 28, 2008

Jim Welch made the motion to approve the Resolution for the SMSI Grant Contract.

**MTN: APPROVE
RESOLUTION
FOR SMSI
GRANT
CONTRACT**

Second: Ken Miller	Roll Call Vote:	Carried
	David Nussbaumer	Aye
	Michael Lambrix	Aye
	James Welch	Aye
	Kenneth Miller	Aye
	David Lyon	Absent

- 9. Approve Abstracts #154 and #155: Mike Lambrix made the motion to approve the claims and expenditures shown on Abstract #154 (for vouchers already paid), which includes Voucher Numbers 9491 through 9497 for \$20,323.94; and Abstract #155, (for vouchers to be paid) which includes Voucher Numbers 9498 through 9574, for \$92,439.73.

**MTN: APPROVE
ABSTRACTS
#154 AND #155**

Second: Jim Welch Vote: 4 ayes. Carried.

- 10. Motion to Adjourn: At 7:59 p.m., Mike Lambrix made the motion to adjourn the meeting.

**MTN: ADJOURN
MEETING**

Second: Jim Welch Vote: 4 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

NEXT MEETING:

REGULAR TOWN BOARD MEETING
THURSDAY, SEPTEMBER 25, 2008, 7:30 P.M., PALMYRA TOWN HALL