

**JOINT TOWN/VILLAGE BOARD MEETING**

**PALMYRA VILLAGE HALL  
JUNE 3, 2013**

At 7:00 p.m., Palmyra Village Mayor, Chris Piccola, called to order the Joint Town/Village Board meeting, agreed to by both Boards, on Monday, June 3, 2013, at the Palmyra Village Hall, 144 East Main Street, Palmyra, New York.

**CALL TO ORDER**

Mayor Piccola led those present in the Pledge of Allegiance to the Flag. He then welcomed the members of the Palmyra Town Board.

**PLEDGE OF ALLEGIANCE**

Each Town and Village Board member introduced him/herself, as well as Village Attorney Art Williams. Town Board members present were:

- Kenneth F. Miller, Supervisor
- James Welch, Deputy Supervisor
- Todd J. Pipitone, Councilman
- David Nussbaumer, Councilman
- Councilman Michael Lambrix was excused.

**ROLL CALL**

Also attending: Palmyra Mayor Chris Piccola, Village Trustees David Husk, Gina Luke, Pat Nolan and Rick Perry, Village Clerk Alicia Lynch, Code Enforcement Officer Dan Wooden, Highway Superintendent Mike Boesel, and several Palmyra residents who did not sign in.

**ATTENDANCE**

**SPECIAL JOINT MEETING**

1. **Proposed Town/Village Smoking Policy:** Following recent U.S. Department of Health inspections of both the Town and Village Halls, as well as the Highway facility, several violations of the Public Clean Air Act were noted. A policy is required by law. Both boards agree that one policy that includes both Town and Village properties, as well as negotiated agreement with Town/Village unions. The Town Board tabled their vote on a policy until after this joint meeting with the Village, with the hope of standardizing the policy, including negotiating penalties with the Union.

**DISCUSSION ON PROPOSED TOWN/VILLAGE SMOKING POLICY**

Issues brought up for discussion include: progressive discipline of offenders, cannot be more restrictive than

**DISCUSSION ON PROPOSED TOWN/VILLAGE SMOKING POLICY**

State law, what some penalties could be, including documentation, municipal fines, possible pay suspension, need for negotiated agreement with unions, no cost to taxpayers if violations. Attorney Art Williams said the policy is clear, there is a need for stages of punishment—progressive discipline—and the focus should be on the penalty. Supervisor Miller added that if a penalty is involved, the Department of Health cannot use an anonymous tip to fine the municipality.

**PESH NOTICE OF VIOLATION AND ORDER TO COMPLY**

- 2. **PESH Notice of Violation & Order to Comply:** Mike Boesel went over the list of PESH violations at the Highway facility and said they are almost all remedied.
- 3. **Local Law No. 2:** Both the Town and Village have been updating their "Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code." Wording with both the Village and Town documents is now consistent in these Local Laws (coincidentally, both municipalities have this new Building Code listed as Local Law #2).

**LOCAL LAW #2—NYS UNIFORM FIRE PREVENTION AND BUILDING CODE**

It had been alleged by some opponents to the new Local Law #2 that the Village hadn't approved it. At this meeting, Village officials said, in fact, this was adopted by the Board of Trustees on February 18, 2013. Village Clerk Alicia Lynch added, "this goes back to 1963, was modified in 1997, and now passed in February of 2013."

Code Enforcement Officer for both Town and Village, Dan Wooden, stated that the concern by landlords about adding single-family rented homes, including mobile home parks, was too intrusive. They allege it had not been passed in the Village. Ken Miller said they wanted to verify tonight that the village had already passed the new Building Code. Wooden added the landlords are confusing the Building Code with Article 19—which is the way in which Local Law #2 is administered and enforced.

**DIVISION STREET BRIDGE UPDATE**

- 4. **Division Street Bridge Update:** Since two nearby bridges over the Erie Canal—Maple Avenue bridge and Route 21 bridge—are able to handle traffic that would have used the Division Street bridge, it was removed from the State's "Repair" list and has been moved to the "Re-design

and Reconstruction” list. Also, the issue of the deteriorating insulation around the raw water conduit that is strapped to the underside of the bridge, needs to be addressed and paid for whenever the bridge is slated for reconstructing.

DIVISION  
STREET BRIDGE  
UPDATE

- 5. **Palmyra Fire Department—Officers Appointed by Village Trustees:** Warren Frederick has been re-appointed as Chief. Assistant Chief is John Pieters, Second Assistant Chief is Jason Dickinson, and Third Assistant Chief is Jeff Bulman. The list also includes the Fire Company President, Andy Prebalick, and Commissioners Michael Storto, Mark Henning and Jesse Wilson.

PALMYRA FIRE  
DEPARTMENT  
OFFICERS  
APPOINTED BY  
VILLAGE  
TRUSTEES

Rick Perry outlined [IamResponding.com](http://IamResponding.com) available to first responders that reduces response time and unnecessary duplication of effort on an emergency call.

- 6. **Update on Village Buildings Damaged in Main Street Fire:** Discussion around the table included when things will be cleaned up, possible litigation, insurance issues, and items pertaining to future rebuilding.

UPDATE ON  
VILLAGE  
BUILDINGS  
DAMAGED IN  
MAIN ST. FIRE

- 7. **Update on Finger Lakes Ambulance:** Both Boards agreed that response time of ambulance service to Palmyra residents has improved markedly. Some billed items were questioned and will be looked into.

UPDATE ON  
FINGER LAKES  
AMBULANCE  
SERVICE

- 8. **Open Discussion:** Town Clerk Lynne Green was recognized, and she told about the Town and Village each receiving a framed resolution from Trevor Elkins, Mayor of the Village of Newburgh Heights, Ohio, that reads:

RESOLUTION  
EXPRESSING  
SUPPORT FOR  
THE TOWN AND  
VILLAGE OF  
PALMYRA, NEW  
YORK IN THE  
AFTERMATH OF  
A TERRIBLE  
FIRE THAT  
DAMAGED ITS  
DOWNTOWN  
AREA...FROM  
VILLAGE OF  
NEWBURGH  
HEIGHTS. OHIO

**RESOLUTION RECORD  
VILLAGE OF NEWBURGH HEIGHTS, OHIO**

**RESOLUTION NO. 13-17  
INTRODUCED BY: Mayor Elkins**

**A RESOLUTION EXPRESSING SUPPORT FOR  
THE TOWN AND VILLAGE OF PALMYRA, NEW YORK  
IN THE AFTERMATH OF A TERRIBLE FIRE THAT  
DAMAGED ITS DOWNTOWN AREA AND COMMUNITY  
AND IN ACKNOWLEDGMENT OF AND ADMIRATION  
FOR THE INDOMITABLE SPIRIT OF THE CITIZENS**

**OF PALMYRA, NEW YORK, AND DECLARING AN EMERGENCY.**

*WHEREAS, the Village of Newburg Heights, Ohio proudly displays a war monument featuring artifacts from the USS Maine warship, which was sunk off the coast of Havana, Cuba in 1898, which event contributed, in part, to the Spanish-American War; and*

*WHEREAS, Rear Admiral William T. Sampson of the United States Navy, who hailed from Palmyra, New York, was made President of the Board of Inquiry to investigate the destruction of the USS Maine and was the commander of the US fleet in the Caribbean during the Spanish-American War; and*

*WHEREAS, Newburgh Heights Mayor Trevor Elkins was raised in Palmyra, New York and is a frequent visitor to the area to see friends and family; and*

*WHEREAS, a fire struck several buildings on East Main Street in Palmyra, New York on May 3, 2013, causing extensive damage; and*

*WHEREAS, during times of misfortune and difficulty, shared ties, however distant or coincidental, call for the expression of support and the extension of warm feelings.*

*NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEWBURGH HEIGHTS, CUYAHOGA COUNTY, OHIO, that:*

*Section 1. The Village of Newburgh Heights, Ohio hereby expresses its support for the Town and Village of Palmyra, New York, in the aftermath of a terrible fire that damaged its Downtown area and hereby expresses its admiration for the indomitable spirit of the citizens of Palmyra, New York, and looks forward to the re-building efforts of that community.*

*Section 2. That it is found and determined that all formal actions of this Council, concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in such formal action occurred in meetings open to the public, in compliance with all legal requirements, including Section 121-22 of the Ohio Revised Code.*

*PASSED: May 21, 2013*

**RESOLUTION  
EXPRESSING  
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THE TOWN AND  
VILLAGE OF  
PALMYRA, NEW  
YORK IN THE  
AFTERMATH OF  
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DOWNTOWN  
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THE VILLAGE OF  
NEWBURGH  
HEIGHTS, OHIO**

*Approved as to Form by Luke J. McConville, Solicitor  
Signed by Trevor Elkins, Mayor, Village of Newburgh  
Heights, Ohio  
Signed by Joanne Clapp, Fiscal Officer, Village of  
Newburgh Heights, Ohio.*

Board members around the table appreciated the show of support and solidarity from Newburgh Heights, Ohio.

Having completed the items on the agenda for the joint Town and Village Board meeting, at 8:02 p.m., Supervisor Ken Miller thanked the Village Board members for inviting them to this meeting. Mayor Piccola thanked the Town Board for coming. Town Board members then left the meeting room.

The Village Board meeting then continued with Village business.

**THANKS TO  
TOWN BOARD  
FOR ATTENDING  
TONIGHT'S  
JOINT MEETING**

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

**ADDED NOTE:**

On June 4, I received word from Highway Superintendent Mike Boesel that he had prepared a Town/Village Highway report for the Joint meeting. He didn't realize the Town Board members would leave before he gave his report.

**ADDED NOTE:**

His Highway report for the June 3<sup>rd</sup> meeting follows:

Highway Superintendent Report  
for JOINT  
Town/Village Board Meeting  
06/03/13

**HIGHWAY  
SUPERINTEN-  
DENT'S REPORT  
FOR JOINT  
TOWN/VILLAGE  
BOARD  
MEETING  
06/03/2013**

Since the May 23<sup>rd</sup> Town Board and May 20<sup>th</sup> Village Board meetings we have completed the following work:

HIGHWAY  
SUPERINTEN-  
DENT'S REPORT  
FOR JOINT  
TOWN/VILLAGE  
BOARD  
MEETING  
06/03/2013

- **Palmyra Municipal Auction** – May 11<sup>th</sup> we held our 28<sup>th</sup> Palmyra Municipal Auction. The Auction was very successful with record sales over \$4.8 million. Below is a chart of our last 5 years:
- **NYS Dept of Labor Inspection:** - On 3/12/13, Sherry VanNortstrand from the NYS DOL/PESH visited us for a random site inspection of the highway facility. Her report was issued on 4/17/13 noting 10 violations for the Town and 2 for the Village. As you know, corrective actions were taken immediately for several of her findings and since her initial inspection we have completed most of them. We have until mid-July to correct the remaining violations, which are currently in progress.
- **Personnel** –
  - Summer Interns – Bryan Wilson and Joshua Snyder completed a two-week internship through BOCES with us on 5/31/13.
  - Village Summer Laborer Position – currently looking for candidates
- **Training** –
  - On 5/21/13, the entire crew had a training class entitled 'Fire Extinguisher Training' held here at Pal Hwy and provided by Lynn Ann from P.A.T.I. who performs our annual fire extinguisher updates.
  - Coming up on 06/06/13 we will be completing our workplace violence training for both crews.
- **Equipment** –
  - **Trailer Purchase (Town)** – Our 2011 tilt-deck trailer sold over the weekend at Teitsworth's Groveland Auction for \$4,250.00. We were guaranteed \$3,875.00. I picked up our new 2013 trailer last Thursday for a total price of \$4,975.00.
  - **Mini Excavator Purchase (Village)** – Our new 2013 Bobcat E42 mini excavator arrived last Wednesday.
- **Speed Radar Signs** – We have had our new speed radar signs out on Canandaigua Street the past two weeks. This was part of the Safe Routes to Schools Grant. We took them down today to re-charge the batteries.
- **Canal Bridge Signs** – We have installed one of four signs purchased thru the Wayne County Sign Shop. Last Thursday, a sign was placed on the west side of the Division Street Bridge. Tomorrow we intend to install signs at the Maple Bridge and Rt. 21 Bridge.

- **Park Drive Project** – *This past Wednesday, we worked with Jeremy Deuel of Deuel Archaeology, to complete the archaeological study for the project. There were no significant findings. I expect his full report within the next two weeks. MRB Group is working with ACOE and DEC to address their concerns before any permits for the project will be issued.*
- **Upcoming Projects** –
  - *Town – Floodman, Leroy, Hanagan, Parker, Cole Roads*
  - *Village – Washington, Fayette, W.Foster Streets*
- **Auction History** –

**HIGHWAY  
SUPERINTEN-  
DENT'S REPORT  
FOR JOINT  
TOWN/VILLAGE  
BOARD  
MEETING  
06/03/2013**

	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
<b>Gross Sales</b>	\$3.12 M	\$3.16 M	\$3.47 M	\$4.00 M	\$4.87 M
<b>Number of Lots</b>	660	690	698	730	638
<b>Sales Tax Collected for Wayne County</b>	\$30,069.00	\$32,438.48	\$28,996.64	\$30,444.36	\$30,655.44
<b>Total Consignors</b>	128	132	128	137	136

**NEXT TOWN BOARD MEETING:**

**THURSDAY, JUNE 27, 2013, 7:00 P.M.  
PALMYRA TOWN HALL**