

**REGULAR MEETING OF THE TOWN BOARD  
EAST PALMYRA FIRE HALL  
APRIL 24, 2014**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, April 24<sup>th</sup>, 2014, at the East Palmyra Fire Hall, 2145 Whitbeck Rd, Palmyra, New York.

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

Upon roll call, the following Board members were present:

**ROLL CALL**

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

Also attending were: William Unterborn, Kenneth Wales, Mike Woodard, Matt LaMora, Marc Carrier, Richard Hagar, Frank Vascukynas, Elmer VerPlank, Pat VerPlank, Richard Green, Lynne Green, and Palmyra Highway Superintendent Mike Boesel.

**ATTENDANCE**

**HEARING**

In a resolution approved by the Town Board on March 27, 2014, time was set aside to speak with the owners of 4775 Tellier Rd, which the town currently has listed as David and Pamela Kern. At this time in the meeting, it was noted by Supervisor Miller that there was no one in attendance to take advantage of this opportunity to speak.

**HEARING WITH OWNERS OF 4775 TELLIER RD.**

**COMMUNICATIONS**

There were no official communications.

**COMMUNICATIONS**

**REPORTS OF STANDING COMMITTEES**

**Supervision---Animal Control, Historian, Finance: Kenneth Miller, Chairman**

**THANK YOU  
LETTERS FOR  
DEFIBRILLATORS**

- 1. **Letters of Thanks for Defibrillators:** The letters were sent out by Lynne Green after receiving the last board member signature.

**Human Services—Town Clerk, Archives, and Justices: Michael Lambrix, Chairman**

- 1. **Town Clerk’s Office Report for April:**

**TOWN CLERK OFFICE REPORT TO THE BOARD**  
**APRIL 2014**

We finished the month of March having collected \$4,429,960.95 of the original Town & County Tax Warrant of \$4,872,458.21. The Town’s share, this year, of the penalties paid was \$7400.00.

**TOWN CLERK  
REPORT FOR  
APRIL**

Through dog licensing, we sold 158 licenses totaling \$1411.00, misc sales - marriage licenses; hunting/fishing, vital record requests, etc- added an additional \$2058.29. Total check disbursements for the month of March were \$3469.29.

The new Deputy Town Clerk, Heidi Jarvis started on April 7<sup>th</sup>, and is doing a wonderful job! Though our computers have not quite been working properly, she has been able to learn a lot about our programs, and best of all, she has used some of our down time to organize, sort thru and condense 5 years of minutes file folders!

Celeste has continued her Archive and Record Management projects. Much of the organizing that Heidi has done, has helped Celeste locate past resolutions, as well as other paperwork, that needed to be archived. Supervisor Miller, Celeste Finewood, and Irene Unterborn, attended an informational meeting (here at the Town Hall) regarding records management. More information regarding this will be available next month.

Lynne finished her last Board Minutes before retiring, to be approved tonight. Lynne has spent time with Heidi updating her on the Town Hall Calendar of Events and the large meeting board. She has also been working (as we all have) organizing and packing up her office space.

Best of luck to you, Lynne, in your retirement!!!!

- 1. **Appointment of Town Clerk:** The appointment of Irene Unterborn, current Deputy Town Clerk, Deputy Registrar, and Receiver of Taxes will take place later this evening.

**APPOINTMENT  
OF TOWN CLERK**

2. **Appointment of Deputy Town Clerk** : The appointment of Deputy Town Clerk, Heidi Jarvis, as Deputy Registrar, will take place later this evening.

**APPOINTMENT OF  
DEPUTY REGISTRAR**

Councilman Lambrix took a moment to thank retiring Town Clerk Lynne Green for all the years she spent in service to the Town of Palmyra, and wished her an enjoyable retirement.

**Public Works—Highway Department, Equipment, Facilities: James Welch, Chairman**

1. **Highway Department report for April:** Highway Superintendent Mike Boesel submitted the following report from March 27, 2014 through April 24, 2014.

**Highway Superintendent Report  
For Town Board Meeting  
04/24/14**

**HIGHWAY REPORT  
FOR APRIL**

Since the 03/27/14 meeting we have completed the following work:

- Plowing/Sanding – We had to make a couple additional trips from our March snow trips tally on the north side of Town last Wednesday for some wet snow. To date this winter season we have made a total of 131 trips out of the barn. A comparison to this point of the past 4 winter seasons is below:
  - April 2013 - 78 trips.
  - April 2012 - 43 trips.
  - April 2011 - 122 trips.
  - April 2010 – 96 trips.
- Brushmowing - Schilling Road

Other miscellaneous items include:

- **Training/Personnel –**
  - 4/1/14 - The entire crew had our bi-annual hearing tests held at Wayne County Highway Dept.
  - 4/4/14 - The entire crew attended AAA Defensive Driving class held at Palmyra Town Hall, 8-2:30
- **CHIPs Funding/Advocacy Day –** As you know from my March Hwy Report, over 600 highway superintendents and vendors from across NYS attended our annual Advocacy Day on March 4-5<sup>th</sup> in Albany and our efforts were rewarded again. Last year, our CHIPs funding was increased from \$91,879 to \$117,678.52. This year it will increase by another \$13,738.
- **Inspections:**
  - Fire Extinguishers – all Hwy Dept fire extinguishers were inspected on 4/2/14 by P.A.T.I.
  - Vehicle Inspections – all Hwy Dept vehicles received annual inspections in early April.
  - Lift Inspection – our shop hoist was inspected on 4/1/13 by Filtrec.

**HIGHWAY REPORT  
CONTINUED**

- Chainfall Inspection – our annual chainfall inspections will be scheduled soon.
- Oil/Water Separator - pumped out on 4/23/14 by Noco.
- **New Equipment Arrivals** - Thank you for this new equipment, both arrived on the morning of 4/11/14.
  - 2014 Bobcat S650 Skidsteer
  - 2015 Mack 10-wheel dump
- **Palmyra Municipal Auction** – The date is coming quick: Saturday May 10, 2014. We have been preparing the grounds for our event. I have a surplus list for approval on tonight’s agenda and attached below.
- **Snowfence, Sweeping & Roadside Cleanup** – We removed all our snow fence, are almost complete with road sweeping and we continue to work on roadside cleanup and plow damage. This work is weather dependent but we hope to complete this work in the next couple weeks.
- **Rt.21 Bridge Maintenance** – Amstar has completed their sandblasting/painting project on the NYS DOT Rt.21 Bridge. The one-lane closure was removed yesterday (Wednesday).
- **Surplus List** - 2013 Bobcat S650, 1995 Mack 10-wheeler, misc. hydraulic hoses, misc. light bulbs.

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

**MOWING ON  
COUNTY ROADS**

2. **Mowing on County Roads:** The new contracts were received from Wayne County the very day of board meeting; therefore, a little time is needed to review the numbers.

**RT 21 BRIDGE  
PROJECT**

Highway Superintendent Mike Boesel added that he was glad that winter has finally ended as the highway department needs to get working on the auction with deliveries starting this following Wednesday. He noted that our town surplus list is small this year, as we’ve been cleaning out quite a bit over the past few years. He also pointed out that the Route 21 bridge project was complete, and that he had been in contact with the workers throughout the project, so they were aware of the time constraints they had been facing.

**Economic Development/Planning—Grounds, IT, Strategic Plans: Todd Pipitone, Chairman****TOWN IT  
INFRASTRUCTURE**

1. **Town IT Infrastructure:** The Town’s IT inventory of licensing of computers revealed that the Town of Palmyra does not have any licensing that can be used, the previously surplus computers were disposed of properly, that five computers are still on “XP”, and that those older computers have to be addressed further.

- 2. **Town Hall Items**: The painting and re-lamping of gymnasium is complete, as well as the painting in the book keepers office.
- 3. **Town Hall Carpet Cleaning Agreement**: Supervisor Miller asked that the discussion of the Town Hall carpet cleaning be put on hold until we have more quotes.

Councilman Pipitone pointed out that both the painting project, as well as the addressing of water spots on the ceiling that seem to be getting worse, are ongoing.

**Government Operations—Assessor, Youth & Aging, Code Enforcement, Fire Protection Contracts: David Nussbaumer, Chairman**

- 1. **Assessor’s Office Report for March**: Assessor Elaine Herman submitted the following report.

**REPORT TO THE TOWN BOARD  
FROM THE ASSESSOR’S OFFICE  
APRIL 22, 2014**

The tentative roll backup has been submitted to the County for printing and will be ready to be filed with the Town Clerk by May 1, 2014.

I met with all the attorneys involved with our side of the Bamberger certiorari that is beginning its fourth year now. I gave them some new numbers (assessments) to take back to the judge and Bamberger’s attorney for a joint meeting sometime this week. Hopefully I will hear from them on how that went sometime next week. I will keep you informed of how this is progressing.

The computers in my office are up and running on the terminal server in Victor. RPS, the main program that is used in my office, seems to be working just fine on both the computers. Two of the programs that we use in this office have been installed on the terminal server and are functioning. The third program should be installed by the company later this week. There is still one other programs that Dean is waiting for the company to get back to him so it can be installed on the terminal server, then I should have all my programs up and running.

Dean has Joan’s printers working through the terminal server, but mine is being difficult. He did figure out a way to make it work, but we must purchase a box that will allow me to have two separate internet connections, one for my computer and one for the printer. He has contacted his office and they are getting the necessary equipment and connecting wires to make that happen. This will save the town considerable money as I will not have to purchase a new printer for around \$400 as well as about \$400 worth of toner supplies for that printer. In the meantime, I can print from my desktop, but I cannot print from RPS which is on the terminal server. I can do the necessary reports from Joan’s computer, as her printer is working with RPS and the terminal server.

CODE  
ENFORCEMENT/  
ZONING REPORT

2. **Code Enforcement/Zoning Office Report- April:** Code Enforcement Officer Dan Wooden submitted a report to the Board Members including a list of building permits and certificates of compliance for Jan. 1 through April 24, 2014.

## ZONING BD MEETING

3. **Minutes from Zoning Board Meeting:** Minutes for the April 10<sup>th</sup> Board meeting were not available at this time.

PLANNING BD  
MEETING

4. **Planning Board Meeting:** There was no meeting of the Planning Board in the month of April 2014.

## INFORMATIONAL ITEMS

WC SHERIFF- TAKE  
BACK DAY

1. **Wayne County Sheriff's Office Press Release – "Nationwide Prescription Drug Take Back Day":** On April 26<sup>th</sup> from 10 AM to 2PM, the Wayne NET and DEA, will offer the opportunity to bring your expired, unused, and unwanted medications for disposal to various locations. This program is to help prevent drug abuse and theft of unused medications. Supervisor Miller shared that these prescriptions do not have to be labeled, and that you can take them to our local Village Police Department, Wegman's in Newark, as well as numerous other locations in our area.

WC SHERIFF –  
HONORING THOSE  
THAT WERE KILLED IN  
THE LINE OF DUTY

2. **Wayne County Sheriff's Office Press Release:** The Wayne County Sheriff's Office, in association with the Badge of Honor Association of Western NY, will host a ceremony on Friday April 25<sup>th</sup>, honoring our Law Enforcement Officers killed in the line of duty.

AHC INCOME  
ASSISTANCE FOR  
REPAIR TO HOMES

3. **Community Action in Self Help:** The Affordable Housing Corporation (AHC) is announcing its program which assists low-income households making repairs to their homes that correct health and safety concerns. Councilman Lambrix suggested that this program should be shared with the community, as well as with CEO Dan Wooden so that he can pass along the information to households that may be cited. Supervisor Miller assured Councilman Lambrix that there have been informational meetings published announcing this to the public, and that he would be happy to share this announcement with CEO Dan Wooden.

ARTICLE – GOV'T  
CLOUD USERS

4. **Information Week Article – "Lawsuit Raises Red Flags for Government Cloud Users":** This article cited a California lawsuit that suggests the government should take stronger steps to protect government data from data 'mining' and user profiling by cloud service providers.

5. **Cable Franchise Transfer from Time Warner to Comcast:** There is a meeting at the Cornell Cooperative Extension on Monday, April 28<sup>th</sup>, at 8:30 AM. Irene Unterborn will be filling in for Supervisor Miller in his absence, for this meeting. Supervisor Miller explained that this is a coalition of Villages and Towns that was set up to meet. The main question will be whether or not it is prudent to deal with Time Warner at this time, as the deal to transfer from Time Warner to Comcast is not completed yet.

FRANCHISE  
TRANSFER TIME  
WARNER TO  
COMCAST?

6. **Public Input (1):** Palmyra resident Kenneth Wales, residing at 2121 Walker Rd, provided the Board with a petition from the residents of Walker Rd. requesting the lowering of its speed limit as well as the addition of speed limit signs (it is not a matter of signs missing that were once there, they just do not exist at this time). The Board engaged in discussion with Mr. Wales as he explained the dangers of Walker Rd. , how there “are too many houses, with too many kids” and how it is just a matter of time before someone gets hurt. The Board agreed that it would be a good idea to have the Regional Traffic Engineer look into this matter, and the petition was given to the Town Clerk to pass along to County Hwy Superintendent.

PUBLIC INPUT

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

**Public Input (2):** Marc Carrier, Palmyra resident, provided the Board with a photo taken earlier in the evening of the watershed near his property, and was wondering the status of his ongoing question regarding the safety of the water / surface water found there. Supervisor Miller stated that he had called the DEC officer, but has not yet heard back from him. Supervisor Miller asked Mr. Carrier if he would share the letter that he received from the DEC with the Board..

PUBLIC INPUT

Councilman Lambrix asked if the water had been tested and what the results were. Mr. Carrier said he did not have the results back from the sample taken last July. Councilman Lambrix pointed out that the DEC oversaw the closing of the landfill, and everything was done correctly.

Discussion ensued.

Mr. Carrier asked that Councilman Lambrix excuse himself from the discussion as he is an employee of K&D Disposal and the wetland runs east from that driveway (Mr. Carrier requested that this be part of the recorded minutes this evening).

The photo will be included in these minutes as Attachment B.

PUBLIC INPUT

**Public Input (3):** Owner of 4775 Tellier Rd, Palmyra, David Kern, presented the Board with a letter for Code Enforcement Officer Dan Wooden. (He did so at this time though hearing time was set aside for him earlier in the meeting.) The letter was to notify the Town that he no longer owns the property, and therefore feels that he is not responsible for any property maintenance or expenses having to do with it. Mr. Kern also stated that he did not appreciate the threatening letters that were sent to him by the Town CEO. Supervisor Miller pointed out that CEO Dan Wooden was only following policy and procedures as prescribed in “The property Nuisance Abatement Law of the Town of Palmyra” (Local Law #2 of 1999). It was also pointed out to Mr. Kern, that though he “sold” the property recently, he is still the owner on record at this time.

AGENDA ITEMS

MTN: APPROVE  
IRENE  
UNTERBORN AS  
TOWN CLERK,  
REGISTRAR,  
RCDS. MANAGER  
& RECEIVER OF  
TAXES

1. **Approve: Irene Unterborn as Town Clerk:** Todd Pipitone made the motion to appoint Irene Unterborn as Town Clerk, Registrar, Records Manager, and Receiver of Taxes as of April 25<sup>th</sup>, 2014 at 5:00 PM.

Second: Dave Nussbaumer

Vote: 4 Ayes. Carried ☺

Roll call vote:

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

MTN: APPROVE  
HEIDI JARVIS AS  
DEPUTY  
REGISTRAR

2. **Approve: Heidi Jarvis as Deputy Registrar:** Dave Nussbaumer made the motion to appoint Heidi Jarvis as Deputy Registrar as of April 25<sup>th</sup>, 2014 at 5:00 PM.

Second: Mike Lambrix

Vote: 4 Ayes. Carried.

3. **Approve: Letter Thanking Retiring Town Clerk, Lynne Green:** The following proclamation was read by the former Deputy Town Clerk, to Retiring Town Clerk Lynne Green and those in attendance:



**PROCLAMATION**

**WHEREAS**, the Town Board of the Town of Palmyra, County of Wayne, State of New York, has noted the following years of service to the Town by the Current Town Clerk Lynne Green:

**MTN: APPROVE  
PROCLAMATION  
THANKING  
LYNNE GREEN FOR  
SERVICE AS TOWN  
CLERK**

Lynne Green became the first Female Member of the Town Board, in Palmyra’s Town History, on January 1<sup>st</sup>, 1994, serving for a total of 9 years ; and

Lynne Green was appointed Town Clerk to fill a vacancy left by Cathy Contant in 2003; and

Lynne Green was elected Town Clerk in 2004, and served for an additional 10 years; and

**WHEREAS**, these many years of service to the Town of Palmyra has contributed to the welfare of the Town and its residents in many ways; and

**WHEREAS**, the Town Board recognizes the Professional job that Lynne Green has performed in promoting the relationship between the Town Clerk’s Office and its residents; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Palmyra wishes to express its appreciation for the contributions of Lynne Green to the residents of the Town of Palmyra; and

**BE IT FURTHER RESOLVED**, that the Town Board and the Town of Palmyra employees congratulate Lynne on her retirement and wish her a joyous future.

Dated April 24, 2014

Todd Pipitone made the motion to approve the proclamation thanking the retiring Town Clerk, Lynne Green.

Second: Mike Lambrix

Vote: 4 Ayes. Carried.

**4. Approve: Letter Thanking Retiring Binger Inspector, Elmer Ver Plank:** The following resolution was read by the Town Clerk, to Elmer Ver Plank and those in attendance:

**RESOLUTION TO THANK ELMER VER PLANK,  
PALMYRA BINGO INSPECTOR**

**MTN: APPROVE  
RESOLUTION  
THANKING ELMER  
VER PLANK FOR  
SERVICE AS BINGO  
INSPECTOR**

**WHEREAS**, the Town has learned that Elmer VerPlank plans to retire from his appointed position as Bingo Inspector for the Town of Palmyra, County of Wayne and State of New York, and

**WHEREAS**, Elmer VerPlank has served faithfully and diligently the people of the Town of Palmyra for many years as the Bingo Inspector for the Town of Palmyra, and

**WHEREAS**, Elmer’s dedication to this State-mandated position, and to the Town of Palmyra has been commendable.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Palmyra does hereby pause in its deliberation to recognize Elmer VerPlank for his long and dedicated service rendered to the people of the Town of Palmyra, and

**BE IT FURTHER RESOLVED**, that the Town Board and the Town of Palmyra employees wish him well in his retirement for many years in the future.

**BY ORDER OF THE TOWN BOARD  
DATED MARCH 27, 2014**

Mr. VerPlank said he was very happy to have served the Town as Bingo Inspector these many years.

Mike Lambrix made the motion to approve the resolution thanking Elmer VerPlank for his years of service.

Second: Dave Nussbaumer                      Vote: 4 Ayes. Carried.

**5. Approve: Councilman Nussbaumer to Attend Regional Local Government Seminar:** Todd Pipitone made the motion to approve Councilman Nusbbaumer’s attendance at the annual, Regional Local Government Workshop. The approval was to not exceed the cost of the workshop (\$75.00) plus mileage to the Burgundy Basin Inn in Pittsford, NY.

**MTN: APPROVE  
ATTENDANCE AT  
REGIONAL LOCAL  
GOV’T SEMINAR**

Second: Jim Welch                                      Vote: 4 Ayes. Carried.

Vote included Supervisor Miller as Councilman Nussbaumer abstained.

6. **Approve: Highway Auction Surplus List:** Jim Welch made the motion to approve the Highway Auction Surplus list which includes a 2013 Bobcat S650, 1995 Mack 10-wheeler, misc. hydraulic hoses, and misc. light bulbs.

MTN: APPROVE  
HIGHWAY AUCTION  
SURPLUS LIST

Second: Mike Lambrix

Vote: 4 Ayes. Carried.

7. **Approve: Approve the Hwy Superintendent Mike Boesel to Attend the Annual Highway School:** Jim Welch made the motion to approve Hwy Superintendent Mike Boesel’s attendance at the Annual Highway School in Ithaca June 2-4<sup>th</sup>, 2014. The approval was to not exceed the cost of the workshop (\$100.00).

MTN: APPROVE  
ATTENDANCE TO  
HIGHWAY SCHOOL

Second: Mike Lambrix

Vote: 4 Ayes. Carried

8. **Approve: Supervisor Miller to Sign Mowing Contract with County on behalf of the Town of Palmyra:** Mike Lambrix made the motion to allow Supervisor Miller to sign the yearly Mowing Contract with County, pending review of insurance and numbers.

MTN: APPROVE  
SUPERVISOR MILLER  
TO SIGN MOWING  
CONTRACT W/  
COUNTY

Second: Dave Nussbaumer

Vote: 4 Ayes. Carried

Contract will be included as Attachment C.

9. **Approve: To Pass Along Walker Rd. Speed Limit Change:** Todd Pipitone made the motion to allow the Town Clerk to pass along the petition and speed limit request for Walker Rd. to the County Hwy Superintendent as well as the Regional Traffic Engineer.

MTN: APPROVE  
FORWARDING OF  
PETITION FOR  
SPEED LIMIT  
CHANGE ON  
WALKER RD.

Second: Mike Lambrix

Vote: 4 Ayes. Carried

10. **Claims and Expenditures:** Dave Nussbaumer made the motion to approve claims and expenditures of vouchers #2647-2776, included in the April 2014 abstract, totaling \$305,048.76

MTN: APPROVE  
CLAIMS AND  
EXPENDITURES FOR  
APRIL 2014

Second: Todd Pipitone

Vote: 4 Ayes. Carried

MTN: ADJOURN  
MEETING

11. **Adjourn Meeting:** At 7:40 PM, Mike Lambrix made the motion to adjourn the meeting.

Second: Dave Nussbaumer

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn  
Town Clerk

**ATTACHMENT A:** PETITION FOR SPEED REDUCTION ON WALKER RD.

**ATTACHMENT B:** PHOTO SUBMITTED BY MARC CARRIER

**ATTACHMENT C:** MOWING CONTRACT WITH COUNTY

**NEXT MEETING**  
**Thursday May 22, 2014, 7:00 PM**  
**PALMYRA TOWN HALL**