

PUBLIC INFORMATIONAL MEETING

PALMYRA TOWN HALL JANUARY 25, 2007

At 7:31 p.m., Supervisor David C. Lyon welcomed those in attendance to the Public Informational Meeting for the proposed Sewer District Extension on Canandaigua Road.

In attendance were Canandaigua Road residents Wayne and Kathleen Henning, Michael P. Gorman, Jon and Barbara Krause, Ken and Pic Schade, Ron Hickman, Bill Riesman, Andy Tremfer and Richard Dzinbal. In addition, Bob Grier, Palmyra Code Enforcement/Zoning Officer, Mike Boesel, Palmyra Highway Superintendent, and Todd Pipitone, *Courier-Journal* reporter, attended the meeting.

**PUBLIC
INFORMATIONAL
MEETING FOR
CANANDAIGUA
ROAD
RESIDENTS FOR
PROPOSED
SEWER
DISTRICT
EXTENSION**

Presenting the information to the residents on behalf of the Town, was David Doyle, P.E., from MRB Engineering Group in Rochester. He had prepared maps and a handout describing the proposed project, with cost estimates. He explained the basics of the project--scope, affected properties, cost, etc.-- and answered questions by residents. Topics of discussion included the rationale for the district, where the pipe would be laid, low properties which might need pumps, and cost to the residents. At 8:04 p.m. the informational meeting ended, with Dave Lyon and Dave Doyle answering individual questions.

REGULAR TOWN BOARD MEETING

At 8:25 p.m., Supervisor David C. Lyon called to order the regular town board meeting, scheduled to be held on Thursday, January 25, 2007, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY.

CALL TO ORDER

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

**PLEDGE TO THE
FLAG**

Upon roll call, the following board members were present:

David C. Lyon, Supervisor
James Welch, Councilman
David Nussbaumer, Councilman
Michael Lambrix, Councilman
Councilman Kenneth Miller was absent.

ROLL CALL

**MTN: APPROVE
MINUTES OF
1/4/2007
MEETING**

Motion was made by Dave Nussbaumer to approve the minutes of the January 4, 2007 meeting of the Town Board.

Second: Mike Lambrix

Vote: 4 ayes. Carried.

COMMUNICATIONS

Communications received were action items and are listed in the Agenda Section below.

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Ken Miller, Chairman

Ken Miller was absent. There was no report given, although Mike Boesel complimented the snow shoveler Ken had hired to shovel Town Hall sidewalks on snowy days.

Highway Committee – James Welch, Chairman

**JANUARY
HIGHWAY
REPORT**

1. Highway Department's Monthly Report: Palmyra Highway Superintendent Mike Boesel provided board members information about happenings in the Highway Department during the month of January:

Highway Superintendent Report
For Town Board Meeting
1/25/2007

Since the 12/28/2006 meeting we have completed the following work:

- Brushmowing – Fagner Road, Cambier, Faas, S.Townline
- Equipment service – E66 (Case Drott), T16 (F-550) sander, T14 (Sterling 10-wheel) new pump/gearbox
- Driveway culvert install – Hogback Road and Walker Road
- Hauling – 300+ tons of sand
- Salt – Ordered 1150 tons
- Plowing/Sanding runs on 15 of the past 28 days and a total of 36 trips out of the barn this winter season. Last year at this time we were up to 52 trips

Other miscellaneous items include:

- Sign Inventory – Lu Engineers finished the sign inventory in Palmyra recently and is currently working with the data in their office on the GIS. The road engineering evaluation will proceed after the data is finished being processed in their office.
- Village Budget – I have been working on the 2007-08 Village Budget. We had our first budget session this past Tuesday night. I believe the next session is on Monday February 5th.
- Fuel Facility – We had been experiencing a number of problems with the joint fuel facility. I have been working with the school reps on the issues. The Pump Doctor was here on the 11th and 12th and installed many new components. We also re-programmed many vehicles and appear to have all our issues behind us for now.
- Galloway/Hogback Intersection – Stop signs and Stop Ahead signs were installed on January 3rd.
- Ice storm - On Monday January 15th, we experienced a mini ice storm, approximately ½-inch of ice. We made three runs, two in the morning and one in the evening. We were lucky and only had two trees on E.Palmyra-Port Gibson Road that needed attention and some downed telephone service wires in the Village. Because of the dangerous conditions and size of the two trees, Empire Tree Surgeons provided quick assistance with the tree removal.
- The date for the 22nd Annual Palmyra Municipal Auction has been set, Saturday May 12, 2007, 9am.

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

2. Agreement: 2007 Spring Municipal Auction: Palmyra Highway Superintendent, Mike Boesel, received a letter containing terms of the agreement between the town and Roy Teitsworth, Inc., Professional Auctioneers. Mike announced the annual Municipal Auction will be held this year on Saturday, May 12, 2007, at 9:00 a.m. Dave Nussbaumer made the motion to approve the agreement with Roy Teitsworth, Inc. for the Municipal Auction, copy of which is included with these minutes as Attachment A.

**MTN: APPROVE
AGREEMENT
WITH ROY
TEITSWORTH
FOR MUNICIPAL
AUCTION**

Second: Jim Welch

Vote: 4 ayes. Carried.

Planning and Economic Development Committee
– Michael Lambrix, Chairman

**COMBINED
TOWN/VILLAGE
BOARDS
MEETING**

Mike Lambrix met with representatives from the Village and noted that the meeting on January 11th at the Fire Hall, billed as a combined-board meeting between the town and village boards, was "not well conducted" in his opinion. It turned out to be a public meeting where everyone present was divided into groups to find ways to improve Palmyra. Currently, Mike is working with Mayor Vicky Daly to set up a date in February for a combined-board meeting.

Zoning Committee – David Nussbaumer, Chairman

**CEO REPORT
FOR JANUARY**

1. CEO Report for January: Bob Grier prepared his January CEO Report for board members. He added that he had met with people from Garlock this month. In the Spring, several buildings are supposed to be demolished and construction will begin on a new 60,000 sq. ft. building. Over the next few years, there will be a massive building project there. Also, Phase II of the Conifer apartment complex will see construction, depending on when they can acquire the funding.

**PROPOSED
ZONING
ORDINANCE TO
BE LOCAL LAW**

2. Code Updates: Bob met with Town Attorney Paul Rubery concerning the proposed Zoning Ordinance. Paul had found inconsistencies in some of the wording and needed to work on what Bob termed "legal housekeeping." The body of the document was okay, but Paul would like to see the Zoning Codes as a Local Law, rather than just an Ordinance. To do this, certain procedures need to be followed, including notification of affected and interested agencies and municipalities, before there can be a public hearing.

INFORMATIONAL ITEMS

**TOWN CLERK'S
REPORT FOR
JANUARY**

1. Town Clerk's Office Report for January: Town Clerk Lynne Green reports that Town/County taxes are now being collected for 2007. Joan Shaffer came aboard this month, as the office shifted to licensing and renewing town dogs directly to the Department of Agriculture and Markets in Albany, rather than using local software as in the past. End-of-year 2006 financials are complete, and the office is up and running for 2007.

2. Assessor's January Report: The Assessor's report focused on tax exemptions and upcoming deadlines for people to apply for several types of exemptions.

**ASSESSOR'S
JANUARY
REPORT**

AGENDA ITEMS

1. 2007 Agreement with Palmyra Community Center: The 2007 agreement between the Town of Palmyra, Village of Palmyra, and the Palmyra Community Center was distributed to town board members. Mike Lambrix made the motion to approve the 2007 agreement at the approved amount, with the Community Center, copy of which is included with these minutes as Attachment B.

**MTN: APPROVE
2007
AGREEMENT
BETWEEN TOWN
AND VILLAGE OF
PALMYRA WITH
PALMYRA
COMMUNITY
CENTER**

Second: Dave Nussbaumer

Vote: 4 ayes. Carried.

2. 2007 Agreement with Palmyra King's Daughters Free Library: The 2007 agreement between the Town of Palmyra and the Palmyra King's Daughters Free Library was distributed to town board members. Mike Lambrix made the motion to approve the 2007 agreement at the approved amount, with the Palmyra Library, copy of which is included with these minutes as Attachment C.

**MTN: APPROVE
2007
AGREEMENT
BETWEEN TOWN
AND PALMYRA
LIBRARY**

Second: Dave Nussbaumer

Vote: 4 ayes. Carried.

3. Update on Pending Litigation with Trolley Road Junkyard: Dave Lyon explained that for more than a decade, the town has taken Kevin Carrier to court for operating a junkyard on Trolley Road without legal authority from the Town Board. Each time the Town received favorable judgment from a court appearance, Kevin appealed the decision to a higher court. The latest court ruling in favor of the Town has once again been appealed, and now must go before the Court of Appeals, the State's highest court. It is in the town's best interest to hire attorneys who are experienced in dealing with this level of jurisdiction.

**MTN:
AUTHORIZE
SUPERVISOR TO
SIGN CONTRACT
WITH HARRIS
BEACH FOR
LEGAL
SERVICES VS.
KEVIN CARRIER**

Harris Beach, PLLC, attorneys from Pittsford, have agreed to represent the Town in connection with Kevin Carrier v. Town of Palmyra Zoning Board of Appeals and Town of Palmyra, Wayne County Index No. 56305. They submitted a list of the terms of their representation, including their services and billing arrangement.

Dave Nussbaumer made the motion to authorize the Supervisor to sign the contract with Harris Beach, PLLC, for legal services.

Second: Mike Lambrix Vote: 4 ayes. Carried.

- 4. Adopt Wayne County All-Hazard Mitigation Plan: Notice was received from Thelma Wideman, Emergency Management Coordinator for Wayne County, that the county Multi-Jurisdictional All-Hazard Mitigation Plan has been approved by FEMA--the Federal Emergency Management Agency--pending adoption by all Wayne County jurisdictions. Motion was made by Mike Lambrix to adopt the resolution for the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan:

RESOLUTION

WHEREAS, the Town of Palmyra, with the assistance from Genesee/Finger Lakes Regional Planning Council, has gathered information and prepared the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan; and

WHEREAS, the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Palmyra is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town Board of the Town of Palmyra has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Town Board of the Town of Palmyra that the Town of Palmyra adopts the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this 25th day of January, 2007, at the meeting of the Palmyra Town Board.

Second: Dave Nussbaumer Vote: 4 ayes. Carried.

- 5. Agreement for Shelter Services with Humane Society: The Wayne County Humane Society submitted an Agreement for Shelter Services from January 1, 2007 through December 31, 2009. In addition to the agreement, a list of charges for boarding and other services was included with the agreement. In 2006, the adoption rate for adoptable dogs was 92%. The cat adoption rate was 91%. Dave Nussbaumer made the motion to authorize the Supervisor to sign the agreement with the Wayne County Humane Society, copy of which is included with these minutes, along with the fee schedule, as Attachment D.

Second: Mike Lambrix Vote: 4 ayes. Carried.

**RESOLUTION:
WAYNE COUNTY
MULTI-
JURISDICTIONAL
ALL-HAZARD
MITIGATION
PLAN**

**MTN: ADOPT
COUNTY PLAN**

**MTN:
AUTHORIZE
SUPERVISOR TO
SIGN
AGREEMENT
FOR SHELTER
SERVICES WITH
WAYNE COUNTY
HUMANE
SOCIETY**

6. Agreement with The Newport Alliance for Drug Testing Services: Each year, the town contracts with The Newport Alliance to perform required drug testing of truck drivers. Mike Lambrix made the motion to approve the agreement with The Newport Alliance, for drug testing services in 2007.
- Second: Dave Nussbaumer Vote: 4 ayes. Carried.
7. Temporary Assignment of Judges: For the last several years, the majority of towns and villages in the Seventh Judicial District cooperated in streamlining the temporary assignment of judges. Once again, the request was made to allow Palmyra judges to serve in other areas as needed. Mike Lambrix made the motion to approve the request for Palmyra judges to be assigned elsewhere as needed.
- Second: Jim Welch Vote: 4 ayes. Carried.
8. Review and Approve 2006 Financials for Supervisor, Town Clerk and Justices: At 8:43 p.m., town board members looked over the 2006 financial reports submitted by the Supervisor's office, the Town Clerk's office, and the Town Court office. These were available to the board this evening. At 8:54 p.m., they completed their overview. Mike Lambrix made the motion to approve the Financial Reports of the Town Supervisor, Town Clerk, and Town Court for 2006.
- Second: Jim Welch Vote: 4 ayes. Carried.
9. Software Purchase by Assessor: The Assessor is requesting board approval for purchasing special software that can access and print detailed property information, including photos, at the touch of a button. This efficient retrieval system can be paid from through her STAR funds. There would be a \$250 annual maintenance fee, but the initial program would total \$698 for 2007. Dave Nussbaumer made the motion to approve the purchase up to \$698 this year, from STAR funds.
- Second: Mike Lambrix Vote: 4 ayes. Carried.

**MTN: APPROVE
AGREEMENT
WITH THE
NEWPORT
ALLIANCE FOR
2007**

**MTN: APPROVE
TEMPORARY
ASSIGNMENT OF
JUDGES AS
NEEDED**

**MTN: APPROVE
2006 FINANCIAL
INFORMATION
FOR
SUPERVISOR,
TOWN CLERK
AND JUSTICES**

**MTN: APPROVE
SOFTWARE
PURCHASE FOR
ASSESSOR'S
OFFICE**

Attachment A: Agreement with Roy Teitsworth Professional Auctioneers for 2007
Municipal Auction

Attachment B: Agreement with Village of Palmyra and Palmyra Community Center for
2007

Attachment C: Agreement with Palmyra King's Daughters Free Library for 2007

Attachment D: Agreement with Wayne County Humane Society for 2007 through 2009

Next town board meeting: Thursday, February 22, 2007, at 7:30 p.m.
Palmyra Town Hall