

**REGULAR MEETING OF THE TOWN BOARD  
JANUARY 27, 2005**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, January 27, 2005, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, was called to order at 7:30 p.m. by Town Supervisor David C. Lyon.

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

Upon roll call, the following board members were present:

- David C. Lyon, Supervisor
- Michael Lambrix, Councilman
- Kenneth Miller, Councilman
- Dave Nussbaumer, Councilman
- James Welch, Councilman

**ROLL CALL**

Also attending the meeting:

- Maggie Ramsey      Canandaigua Daily Messenger
- Todd Pipitone      Palmyra Courier-Journal
- Bob Grier            Palmyra Code/Zoning Officer
- Michael Boesel      Palmyra Highway Superintendent

Motion was made by Dave Nussbaumer to approve the minutes of the January 6, 2005 organization meeting of the Town Board.

**MTN: APPRV  
1/06/2005 MTG  
MINUTES**

Dave Lyon submitted corrections to the January 6<sup>th</sup> meeting minutes. Motion was amended to include corrections.

Second: Mike Lambrix                      Vote: 4 ayes as corrected,  
Ken Miller abstained since he was absent. Motion carried.

**COMMUNICATIONS**

1. Public Rabies Clinic announced: Email received from Wayne County Public Health about annual Winter Rabies Clinic at the Newark Highway Garage, on February 12, from 2 to 4 p.m.

**PUBLIC RABIES CLINIC ANNOUNCED**

**TELECON-  
FERENCE  
NOTES REC'D.**

2. Teleconference notes received: Dave Nussbaumer attended a teleconference session entitled "Town Board and Town Clerks Working Together: Whose Job Is It?" and was so impressed with it that he wanted a transcript of what transpired. A copy of the transcript was passed to other board members. They asked the clerk to provide each with a copy.

**NYMIR UNDER-  
WRITING  
SURVEY &  
RECOMMEN-  
DATIONS**

3. NYMIR Underwriting survey and recommendations: An underwriting survey was performed of our municipality. From the Regional Risk Management Supervisor's visit, two recommendations were generated. Both were in the Highway Department. Both recommendations were addressed and corrected the following day. Lynne Green to provide NYMIR with a written response.

**ASSESSOR  
RECEIVES  
EXCELLENCE  
IN EQUITY  
AWARD**

4. Excellence in Equity Award: The Palmyra Assessor, Elaine Herman, has qualified for the New York State Office of Real Property Services' Excellence in Equity Award. It is granted to municipalities that are receiving State Aid for conducting reassessments at 100 percent of market value. She will receive an Excellence in Equity certificate. Supervisor Dave Lyon added his congratulations, saying the reassessment went very smoothly last year.

**LIST OF  
PROGRAMS  
PROVIDED BY  
RURAL  
DEVELOPMENT  
FOR LOANS &  
GRANTS**

5. Programs provided by Rural Development for loans and grants: A letter received from Micky Sergent, Rural Development Manager, describes programs available for the town to pursue, if desired: Financing Programs for Community and Economic Development Available in New York State, Rural Development Housing Programs, Eligibility requirements for a Section 504 loan or grant, Water and Waste Disposal Programs, Community Facilities Loans and Grants, Providing Rural America With Essential Utility Services, and Business Programs.

**BOB OAKS  
OPEN TOWN  
MEETING ON  
2/19/2005 AT  
3:30 PM AT  
TOWN HALL**

6. Bob Oaks to Visit Palmyra: NY State Assemblyman Bob Oaks announces he will conduct an Open Town Meeting on Saturday, February 19, at 3:30 p.m. at the Palmyra Town Hall. This stop is part of his round of town meetings in Wayne County to receive input from residents of his Assembly district and to report back to his constituents current topics and happenings in Albany.

- 7. DEC letter about expansion of mining permit: Abram Cleason Co., Inc. has submitted an application to the Department of Environmental Conservation requesting a Mined Land Use Plan Modification on Palmer Rd. Since the Town of Palmyra is an involved agency, the application package was forwarded to us for a 30-day public review and comment period. They also asked the town to consider the selection of DEC as the lead agency for this review. No action was taken at the board meeting concerning this request.

**DEC LETTER  
RE: CLEASON  
REQUEST TO  
EXPAND  
MINING PLAN**

- 8. Federal Fire Grant Awarded: A communication received today from Congressman James Walsh announced that the Palmyra Fire Department was awarded \$129,509 to fund the purchase of a new firefighting vehicle as part of FY 2004 funding secured by the congressman for fire service providers nationwide. Specifically, this money is to purchase a new 1,000 gallon pumper truck to replace the oldest vehicle in the department's fleet. Congressman Walsh is an original co-sponsor of the program's authorizing legislation.

**PALMYRA FIRE  
DEPT.  
AWARDED  
FUNDS FOR  
NEW FIRE  
TRUCK  
THANKS TO  
CONGRESS-  
MAN WALSH**

**REPORTS OF STANDING COMMITTEES**

**Buildings and Grounds Committee – Kenneth Miller,  
Chairman**

Ken Miller reported snow removal of sidewalks at entrances around the Town Hall has had problems, but are being addressed and solved. Some roof gutters in the back have been reattached. Fascia boards in the back are in poor condition. Reguttering will be required when the roof is replaced. We are now waiting out the winter so the roof repair work can begin.

**BLDGS. &  
GROUNDS  
COMMITTEE  
REPORT**

**Highway Committee – Michael Lambrix, Chairman**

- 1. Authorization to obtain quotes for purchase of mower attachment: Highway Superintendent Mike Boesel requested authorization from the Board to obtain quotes for the purchase of an Alamo mower attachment. When asked how much was budgeted for the attachment, he said \$7,000 was already set aside in the 2005 budget for this purchase. Mike Lambrix

**MTN: AUTHOR-  
IZATION TO  
OBTAIN  
QUOTES TO  
PURCHASE  
MOWER  
ATTACHMENT**

made the motion to authorize Boesel to obtain quotes for the equipment, not to exceed \$7,000.

Second: Dave Nussbaumer      Vote: 5 ayes. Carried.

**MTN: AUTHORIZATION TO OBTAIN QUOTES TO PURCHASE PLASMA CUTTER FOR SHOP**

2. Authorization to obtain quotes for purchase of plasma cutter for the shop: Highway Superintendent Mike Boesel requested authorization from the Board to obtain quotes for the purchase of a plasma cutter for the shop. When asked how much was budgeted for the attachment, he said \$4,000 was already set aside in the 2005 budget for this purchase. Mike Lambrix made the motion to authorize Boesel to obtain quotes for the equipment, not to exceed \$4,000.

Second: Dave Nussbaumer      Vote: 5 ayes. Carried.

**MTN: AUTHORIZATION TO PURCHASE A BOBCAT ON THE STATE CONTRACT**

3. Authorization to purchase a Bobcat on the State contract: Highway Superintendent Mike Boesel requested authorization from the Board to purchase a Bobcat on the State contract. When asked how much was budgeted for the piece of equipment, he said \$26,000 was already set aside in the 2005 budget for this purchase. Mike Lambrix made the motion to authorize Boesel to purchase the Bobcat on the state contract, not to exceed \$26,000.

Second: Ken Miller      Vote: 5 ayes. Carried.

**MTN: APPRV. CONTRACT WITH ROY TEITSWORTH AUCTIONEER FOR MUNICIPAL AUCTION**

4. Contract with auctioneer for Municipal Auction: Handed to each Board member was a copy of a letter from Roy Teitsworth, Inc., Professional Auctioneer, in which he details the terms of the arrangement with the Town for this year's Municipal Auction at the Highway Barns on Saturday, May 21, 2005, at 9 a.m. The Board wanted to know if the Palmyra Community Center will be able to provide the concessions for the auction. Boesel assured them the PCC would be able to do that as a fundraiser. Mike Lambrix made the motion to contract with Roy Teitsworth, Inc. for this year's municipal auction.

Second: Dave Nussbaumer      Vote: 5 ayes. Carried.

**Planning Committee – James Welch, Chairman**

Planning Board letter of resignation: Supervisor Lyon received a letter from William H. Baker, who currently serves on the Town Planning Board. He cites health reasons for requesting his resignation from the board, and for not being able to complete his term, which ends December 31, 2006. In his letter, he states that he "will continue to serve until [there is] a replacement" for his position. For this reason, the town board took no action to accept his resignation. When a replacement is determined and approved, the board expects to officially accept it.

**LETTER OF RESIGNATION FROM TOWN PLANNING BOARD**

For the record, it was noted that there is an opening in the Board of Assessment Review to fill the seat of Gordon DeMay, whose term expired September 30, 2004, and who chose not to be reappointed. All other board seats, elected and appointed, have been filled.

**Zoning Committee – David Nussbaumer, Chairman**

1. CEO Report: Bob Grier submitted his CEO report which summarizes activity through January 27, 2005.
2. Palmyra Inn update: Grier said the construction has run into some weather difficulties. However, part of the cement floor has been poured and the "stick" construction has started. Already installed are underground electric, gas and water lines, as well as plumbing. Lynne Green showed a copy of the January 14, 2005, edition of the *Rochester Business Journal* to board members. An article on page 3 features the Palmyra Inn.
3. Zoning Ordinance update: When asked what project Grier's office would be working on in 2005, he said he plans to "breathe new life into the 2002 zoning ordinance, updating it to conform with the 2003 building code." He has contacted Stu Brown, who reviews such documents from many municipalities, to send the proposed zoning code for review, make changes and recommendations, and to set up the correct procedure and time table for public hearings, etc.

**CEO REPORT FOR JANUARY 2005**

**PALMYRA INN UPDATE**

**ZONING ORDINANCE UPDATE IN PROGRESS**

**INFORMATIONAL ITEMS**

**ASSESSOR'S  
REPORT FOR  
JANUARY**

- 1. Assessor's Report for January: All claims concerning reassessment have been completed. Exemption forms have been mailed for various tax exemptions in 2005, and the previously-approved laser measuring tool has been purchased, and is doing a great job for Elaine.

**RT. 21 TRUCK  
TRAFFIC MTG.  
UPDATE**

- 2. Route 21 Truck Traffic meeting: On January 25, 2005, the local group concerned with the increased traffic on Route 21, particularly in the village, met at the Town Hall. Dave Lyon updated the board on what was discussed. He said the group is using a "multiphase approach" to check into such things as lowering speed limits, funding for an air quality study (particularly from diesel truck emissions), approaching the state for a bypass around the village, and looking at alternate routes in cooperation with neighboring municipalities. He added that Police Chief David Dalton was at the meeting, and provided insight into what his department has been doing concerning this situation.

**AGENDA ITEMS**

**MTN:  
RESOLUTION  
IN RESPONSE TO  
PETITION FOR  
LOWER SPEED  
LIMIT ON  
NEWARK-  
MARION RD.**

- 1. Resolution: Speed Reduction on Newark-Marion Road: Following up on the petition made by Newark-Marion Road residents for lower speed limits, it was found that a formal resolution is needed to proceed to the next step in the process. Mike Lambrix made the motion to approve the following resolution:

**RESOLUTION IN RESPONSE TO PETITION  
FROM RESIDENTS ON  
NEWARK-MARION ROAD, PALMYRA**

WHEREAS, a petition has been received by the Town Board of the Town of Palmyra, New York, to review traffic conditions on Newark-Marion Road (County Road 220), between O'Meal and Harris Roads, and

WHEREAS, the petitioners have requested a reduction in speed, a change in signage, and possible road reconstruction changes,

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Palmyra requests the Regional Traffic Engineer in the New York State Department of Transportation, Region 4, to conduct a study of said

road, and to make recommendations to the Town Board of ways to resolve these issues.

Dated: January 27, 2005  
Lyndall Ann P. Green  
Palmyra Town Clerk

Second: Dave Nussbaumer                      Vote: 5 ayes

- 2. Approve Mobile Home Park Permit Renewals: More mobile home park renewal applications have been received, and is bringing the parks up to date with their permits.

**MTN: APPRV  
MOBILE HOME  
PERMITS FOR  
2003-2004**

Motion was made by Ken Miller to approve for 2003-2004: Pine Tree Mobile Home Park.

Second: Mike Lambrix                      Vote: 5 ayes.

Motion was made by Ken Miller to approve for 2004-2005: Pine Tree Mobile Home Park, Canalside Estates and Trolley Road Mobile Home Park

**MTN: APPRV  
MOBILE HOME  
PERMITS FOR  
2004-2005**

Second: Jim Welch                      Vote: 5 ayes.

- 3. Approve Abstract #74: Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #74, which includes Voucher Numbers 5887 through 5967, for a total amount of \$56,265.92.

**MTN: APPRV.  
ABSTRACT #74**

Second: Mike Lambrix                      Vote: 5 ayes.

- 4. Motion to Adjourn: At 8:02 p.m., Dave Nussbaumer made the motion to adjourn the meeting.

**MTN: ADJOURN  
MEETING**

Second: Ken Miller                      Vote: 5 ayes.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

**NEXT MEETING: THURSDAY, FEBRUARY 24, 2005, AT 7:30 P.M.  
PALMYRA TOWN HALL**