

**REGULAR MEETING OF THE TOWN BOARD  
PALMYRA TOWN HALL  
July 24, 2014**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, July 24, 2014, at the Palmyra Town Hall, 1180 Canandaigua 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
- Michael Lambrix, Councilman
- David Nussbaumer, Councilman

Councilman Todd Pipitone was absent.

Motion was made by Jim Welch to approve the minutes of the Town Board meeting on June 26, 2014.

**MTN:  
APPROVE  
PREVIOUS  
TOWN BOARD  
MINUTES**

Second: Mike Lambrix     Vote: 3 Ayes. Carried Including Supervisor Miller

Councilman Nussbaumer abstained as he was absent from June meeting.

Supervisor Miller asked if the Board Members would still like a hard copy of the past months meeting minutes, and to please let the Town Clerk know. Otherwise, to save on printing costs, they will only be e-mailed to the board members, and not included in the monthly meeting packets.

Also attending was: Ron Fannon, Carol Fannon, Richard Hagar, Betsy Pray, Marc Carrier, Frank Vascukynas, Joe Loyzelle, Ora Rothfus (IDA-Ag. Dev. Specialist), Gay Mills (Genesee Land Trust), Frank E. Koeberle, Deputy Code Enforcement Officer Bob Grier, Gary LaBerge, Earl Vanderwall, and Palmyra Highway Superintendent Mike Boesel.

**ATTENDANCE**

**HEARING**

There was no official hearing this evening.

**HEARING**

**COMMUNICATIONS**

There were no official communications.

**REPORTS OF STANDING COMMITTEES**

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

**1. Frank E. Koeberle and Ora Rothfus- Farmland Protection Funds and discussion regarding pre-application received from "E.W. Koeberle Sons":**

Before discussion regarding this topic ensued, Councilman Mike Lambrix made the motion at 7:03 PM, to enter into Executive Session to discuss a proposed land transfer.

Second: Dave Nussbaumer                      Vote: 3 Ayes. Carried.

Supervisor Miller invited Mr. Rothfus and Mr. Koeberle to join the Town Board in his office.

**Exit Executive Session:** At 7:16 PM., Dave Nussbaumer made the motion to exit Executive Session.

Second: Mike Lambrix                      Vote: 3 Ayes. Carried

**2. Discussion- Benefit Resolution Update:** This is an annual update to the document that explains any changes in the available benefits program. Supervisor Miller pointed out there were some, that at this time this resolution was strictly informational, and asked the board to review the copy to be voted on at the August 2014 meeting.

**3. FEMA, Wayne County Multi-Jurisdictional All Hazard Mitigation Plan:** Supervisor Miller shared with the board a copy of the letter received from George Bastedo, noting that FEMA has approved the Multi-Jurisdictional All Hazard Mitigation Plan, and that in order to be eligible for FEMA mitigation grants, each town must formally adopt the plan. This resolution will be voted on later this evening.

**4. Mercy Flight Request for Funding:** Supervisor Miller received a letter from Mercy Flight Central, requesting a yearly contribution from the Town of Palmyra. Councilman Nussbaumer asked if it was previously contained in our budget, but it was not. The Board asked the Town Clerk to make sure that the Book Keeper gets a copy of the letter to have available for review during budget time.

COMMUNICAT-  
IONS

KOEBERLE  
FARMLAND  
PROTECTION  
APPLICATION

MTN: ENTER  
EXECUTIVE  
SESSION

MTN: EXIT  
EXECUTIVE  
SESSION

EMPLOYEE  
BENEFITS

FEMA AND  
HAZARD  
MITIGATION  
PLAN

MERCY FLIGHT  
REQUEST FOR  
FUNDING

**5. DEC Inspection Reports for Landfill:** Supervisor Miller and Environmental Engineer Mark Amann, P.E., visited the Garnsey Road landfill area, and a copy of the report was forwarded to the board before this evenings meeting. The only recommendations made for the “sampling well” areas were that there should be no woody growth allowed, and that it should be mowed every two to three years. Supervisor Miller stated that he his planning to walk the entire area with Highway Superintendent Mike Boesel, to see whether or not our highway department had the proper equipment to do such maintenance.

**DEC – GARNSEY  
RD LANDFILL**

**This DEC report is Attachment B**

**ATTACHMENT A**

**6. Out of District Water User Contract:** A signed copy of this agreement between LaBco of Palmyra Inc., and the Town of Palmyra was shared with the board as information only. A copy was sent to the Wayne County Water and Sewer Authority.

**OUT OF DISTRICT  
WATER USER –  
LABCO**

**This agreement is Attachment C**

**ATTACHMENT C**

**7. 2014 Budget Adjustment:** Supervisor Miller shared with the board mid-year budget adjustments. He pointed out that the center arrow shows what the funds were used for, and included items like the numerous computers that were replaced because they were running “XP”. Any questions regarding the following information should be directed to the Book Keeper, Petra Anderson.

**BUDGET  
ADJUSTMENT**

**Town of Palmyra  
Budget Adjustments**

**GENERAL FUND**

➤ **Supervisor Budget**

**Increase:** Acct# 12201.01.000.04 Supervisor – Pers Svcs/Casual      **Amt: \$336.11**  
**Decrease:** **Acct# 12204.01.000.00 Supervisor – Contractual Exp**      **Amt: \$336.11**

➤ Hours J Shaffer worked

**Increase:** Acct# 12202.01.000.00 Supervisor – Equipment      **Amt: \$367.47**  
**Decrease:** **Acct# 19904.01.000.00 Contingency Account**      **Amt: \$367.47**

➤ Purchase of computer to replace XP computer

➤ **Independent Auditing Budget**

**Increase:** Acct# 13204.01.000.00 Independent Auditing – Cont Exp      **Amt: \$2,100.00**  
**Decrease:** **Acct# 19904.01.000.00 Contingency Account**      **Amt: \$2,100.00**

➤ Audit of water & sewer funds as required by Rural Development

➤ **Data Processing (IT) Budget**

**Increase:** Acct# 16804.01.000.00 Data Processing – Cont Exp      **Amt: \$9,891.89**  
**Decrease:** **Acct# 19904.01.000.00 Contingency Account**      **Amt: \$9,891.89**

**BUDGET ADJUST -  
MENT CONT.**

- Overage of budget line for remote server and IT hours
  
- **Buildings Budget**
  - Increase: Acct# 16204.01.000.00 Buildings – Cont Exp Amt: \$1,905.00
  - Decrease: Acct# 19904.01.000.00 Contingency Account Amt: \$1,905.00
  
- Overage of budget line from facility improvements
  
- **Town Clerk Budget**
  - Increase: Acct# 14102.01.000.00 Town Clerk – Equipment Amt: \$2,488.58
  - Decrease: Acct# 14101.01.000.00 Town Clerk – Personal Services Amt: \$2,488.58
  
- Purchase of furniture
  - Increase: Acct# 14102.01.000.00 Town Clerk – Equipment Amt: \$ 734.94
  - Decrease: Acct# 19904.01.000.00 Contingency Account Amt: \$ 734.94
  
- Purchase of two computers to replace XP computers
  - Increase: Acct# 14104.01.000.08 Town Clerk – Cont Exp/Taxes Amt: \$ 46.56
  - Decrease: Acct# 14104.01.000.00 Town Clerk – Contractual Exp Amt: \$ 46.56
  
- Overage of budget line for taxes

**DOT FUNCTIONAL  
CLASSIFICATION  
OF RT 21**

**8. DOT Functional Classification of Roadway:** Supervisor Miller, Highway Superintendent Mike Boesel, and Wayne County Highway Superintendent Kevin Rooney each received a letter from Dan Hallowell, Regional Planning and Program Manager for the NYSDOT, requesting either a letter of support, or a letter against, changing the functional classification of State Route 21 (SR 21). The change of this 13.4 mile stretch is requested because the “characteristics of the roadway and surrounding land uses are indicative of a Principal Arterial Roadway. SR21 connects Principal Arterial SR31 to Principal Arterial SR 332.” After a short discussion, the Board agreed that the Supervisor should send a letter of support to the DOT, pointed out that every road has a classification, and how this change would allow more attention, whether plowing or maintenance, to be paid to this road.

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

**1. Town Clerk Office Report for July:**

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

**After last months meeting:**

The Water Tank Lease was signed and returned by Wayne County 911, the signed Excavation Permit was mailed to NYSEG, EZ Pass-to-Go was signed and approved by NYS, and minutes were sent to the Board Members as well as department heads.

**TOWN CLERK  
JULY OFFICE  
REPORT**

**General Information:**

July was a perfect month to continue catching up on tasks! The office is very user friendly, and we have received many positive comments on how professional it looks. The electric and phone work is now complete in the office, and we are anticipating that the computers for the counter will be up and running by next week. At the same time, the copier will be hooked up to become the main printer, fax, and copier.

As well as the day to day projects, Heidi is working on a newly updated key log, has completely cleaned up the handicapped parking permits, and has mailed 215 late renewal notices. This mailing has resulted in many dog owners renewing their licenses, as well as reporting that they either no longer own their dog in question, or that it is deceased.

We are getting closer to resolving the Application Extender program issues that we were having, and should be able to utilize the program by months end. All records that met their destruction credentials were taken to Wayne ARC to be destroyed, records to be archived have been put away, and the “staging room” is now empty (for now!).

Through dog licensing, we sold 102 licenses totaling \$884.00. Misc sales, including marriage licenses, hunting/fishing, vital record requests, Bingo proceeds, etc – added an additional \$3234.63. Total check disbursements for the month of June were \$4118.63. We are also beginning to receive the numerous bank lists for school taxes that we will sort and mail out the end of August.

**TOWN CLERK  
OFFICE REORT  
CONTINUED**

- 2. **Water Tank Agreement:** The Non- Exclusive Water Tank Attachment Agreement was received back from the Wayne County Attorney’s office, signed by both the Town of Palmyra, and the Wayne County E911 Services.

**WATER TANK  
AGREEMENT:  
ATTACHMENT A**

**This agreement is Attachment A**

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

- 1. **Highway Department report for July:** Highway Superintendent Mike Boesel submitted the following report from June 26, 2014 through July 24, 2014.

**Highway Superintendent Report  
For Town Board Meeting  
07/24/2014**

**JULY HIGHWAY  
DEPARTMENT  
REPORT**

Since the 06/26/14 meeting we have completed the following work:

- Ditching/Drainage work – South Townline and Faas Roads
- Brushmowing/Treework – S.Townline, Faas, Cornwall, Garnsey, Galloway, Hogback, Vault., S.Creek
- Inter-municipal Assistance
  - 6/26/14 2 Palmyra trucks to Macedon for surface treating
  - 7/18/14 2 Williamson trucks to Palmyra for surface treating

Other miscellaneous items include:

**HWY REPORT  
CONTINUED**

- **Storm Cleanup** – Heavy rain and strong winds on July 8th caused many drainage and tree issues throughout the Town and surrounding communities. We spent the next two days sweeping roads and clearing trees and debris. Hardest hit were Parker and Jagger Roads where we needed the loader to clear many trees. We worked from roughly 6pm-9pm that night to open Jagger Road and many others, but Parker remained closed until the next day because of downed wires.
- **Training** – On July 10th, we watched some training videos entitled 'One Step from Death', 'Team Building' and 'Flagging in the Work Zone'. Later that same day the entire crew received AED/CPR training provided by Finger Lakes Ambulance.
- **Fall Highway Conference** – Our 85<sup>th</sup> Annual Fall Highway Conference and Expo is scheduled for September 16-19 at the Villa Roma in Callicoon, NY. I am requesting permission to attend at a cost not to exceed \$726.00. This includes three nights and all meals. This is budgeted annually.
- **Surface Treating** - On July 18th we chipsealed Fass, South Townline and Cornwall Roads. On July 22nd, Trolley Road and Vienna Street were slurry sealed. Later this summer we are also looking at Goldsmith, Lusk, Desmith and Hanley Roads.
- **New CAT 950 Loader** - On July 17th our new 2014 CAT 950K loader arrived and our 2009 JD 644K loader left on trade. Thank you for this equipment replacement!
- **Traffic Counters** - We completed our traffic counts of the entire Town utilizing WC Highways' tube traffic counters. Our Top 10 highest traffic volume roads in the Town are as follows:

**TRAFFIC VOLUME  
COUNTS**

TOWN ROADS	2008 Av.	2014 Av.	Inc/Dec	%-age
1 Jeffery Rd (west end near Maple)	1728	1838	110	6%
2 Quaker Rd (btwn Santelli's And Maple)	1102	1588	486	44%
3 Quaker Rd (btwn Maple and Daansen)	1408	1449	42	3%
4 Division St ( near Garlock's closure)	1946	1197	-749	-38%
5 Stafford Rd	1002	1011	9	1%
6 Jeffery Rd (east end btwn Bells & Jeff. Fuel)	983	974	- 10	-1%
7 Hanley Rd	866	851	-16	-2%
8 Port Gibson Rd (north end)	729	822	93	13%
9 Temple Rd	438	733	294	67%
10 Hogback Rd (near Swift's Park)	528	732	203	39%

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

Highway Superintendent Mike Boesel reminded the board that the AED/CPR training has now been completed. Councilman Nussbaumer asked if all those trained will be receiving a card or some sort of certification. Mr. Boesel stated that yes we will, but he was not sure exactly when we would receive them.

Mr. Boesel also shared with the board the closing of Galloway Bridge which occurred just a few hours before the board meeting. He informed the board that after a DOT inspection, it was decided to close the bridge immediately, and completely, to all traffic and pedestrians. Notification went out between 3-4PM, and not only was 911 alerted, but so were all officials, town heads, fire departments, police and sheriffs. Message sign boards were also set up in prominent areas of town. Councilman Lambrich asked that it be noted that the NYSDOT should be contacted, and that a traffic light be installed at the intersection of East Palmyra-Port Gibson Rd and Route 31. He pointed out that that intersection is already very dangerous and congested, and this closing will make it even more so.

**GALLOWAY  
BRIDGE CLOSING**

In closing of the highway department report, Councilman Welch also questioned whether or not we had heard back from the DOT regarding the speed limit reduction on Walker Rd. We have not.

- 2. **Request for Attendance to the 85<sup>th</sup> Annual Fall Highway Conference and Expo:** Councilman Welch mentioned that Highway Superintendent Mike Boesel would like to attend the 85<sup>th</sup> Annual Fall Highway Conference and Expo in Callicon, NY, at a cost not to exceed \$726.00. This is a budgeted expense which includes three nights and all meals. This will be voted on later this evening.

**HIGHWAY FALL  
CONFERENCE  
AND EXPO.**

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

Councilman Pipitone was absent from this evenings meeting, therefore there was no new information to share at this time.

**Government Operations—Assessor, Youth & Aging, Code Enforcement, Fire Protection Contracts: David Nussbaumer, Chairman, was absent. Supervisor Miller shared the following information:**

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

**ASSESSOR  
OFFICE REPORT  
FOR JULY**

**REPORT TO THE TOWN BOARD  
FROM THE ASSESSOR'S OFFICE  
JULY 24, 2014**

**ASSESSOR OFFICE  
REPORT FOR JULY  
CONTINUED**

It is quiet in the office now, as the Final Roll has been filed with the Town Clerk's office and the required paper work has been submitted and received by the State. Our equalization rate will remain at 100% again for this year. The State has already finalized that number for this year.

We are still working with the State on the Basic STAR removals due to either State Tax Liability's or non qualifying owners. We get an updated list every month for us to review. We have three properties that have the STAR removed due to non-payment of some tax due to the State along with several properties that the State has instructed us to remove the Basic STAR due to their determination that they do not qualify. They may have sold the property, applied for the Senior STAR or did not reply to the State's mailings and did not register with them as required.

As of today, there have been no small claims applications filed with the Town or the County for Palmyra. I do expect to see at least one application before the end of the month, which is the deadline to file.

**CODE/ZONING  
REPORT FOR JULY**

2. **Code Enforcement/Zoning Office Report- July:** 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 July 24, 2014.

**NUISANCE  
PROPERTY  
4775 TELLIER RD**

3. **Discussion Regarding "Nuisance Property" located at 4775 Tellier Rd:** Councilman Nussbaumer asked if this was the same property that had been discussed in previous meetings. Deputy Code Enforcer Bob Grier explained that yes it was, and because of changes in ownership (the father selling the property to the son as a strategic move) the process needed to begin again. Supervisor Miller stated that he had been reluctant in the past to contact CSX, but after speaking with both the town and county attorneys, he would now ask for support as recommended by them. The town has done its due diligence in trying to remove this property, and is now concerned with the right of way of the train tracks. A resolution will be voted on later this evening.

**MANUFACTURED  
HOME PERMITS**

4. **Manufactured Home Park Permits:** There was a list provided of current Manufactured Home Park Permits. These will be up for approval later in the meeting.

**ZONING BOARD  
MINUTES**

5. **Minutes from Zoning Board Meeting on July 14, 2014:** The minutes were shared with the board this evening.

**PLANNING  
BOARD MINUTES**

6. **Minutes from Planning Board Meeting on July 10, 2014:** A copy of the minutes was shared with the board this evening.



**INFORMATIONAL ITEMS**

- |  |  |
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| <p>1. <b><u>Wayne County Sherriff's Office:</u></b> No information available at this time. Supervisor Miller will forward any announcement to the board members as received this month.</p>  | <p><b>WAYNE COUNTY<br/>SHERRIFF'S<br/>REPORT</b></p> |
| <p>2. <b><u>Wounded Warrior Dinner:</u></b> A fundraiser dinner for the Wounded Warrior Foundation will take place on July 26<sup>th</sup>, at 5:30 PM, at the Log Cabin Restaurant in Macedon. All are welcome.</p>   | <p><b>WOUNDED<br/>WARRIOR<br/>FUNDRAISER</b></p>     |
| <p>3. <b><u>FLIP for History:</u></b> Flipforhistory.com is an application available for "Smart Phones" that was developed by Rochester Institute of Technology. This "App" enables a person to go on a mobile scavenger hunt of different sites in the Fingerlakes Region. Our own Historic Palmyra Museums are part of this hunt.</p>  | <p><b>'FLIP' FOR<br/>HISTORY</b></p>                 |
| <p>4. <b><u>Executive Summary for Lago Resort and Casino:</u></b> A summary was shared with the board from Wilmorite, Inc. This company had put together an impressive proposal for a casino located at RT 414 &amp; RT 96, which they have now received approval to move forward with.</p>  | <p><b>LAGO RESORT<br/>AND CASINO</b></p>             |
| <p>5. <b><u>Public Input #1:</u></b> Mr. Marc Carrier, residing on Garnsey Rd., wanted to discuss "the dump" located on Garnsey Rd. Supervisor Miller asked the board if they wanted to allow Mr. Carrier to discuss the DEC reports any further. Discussion ensued, and the board decided that this topic of discussion had been exhausted, especially after all DEC inspections found the landfill had been closed properly. Supervisor Miller suggested to Mr. Carrier that he contact the DEC directly if he had complaints or comments regarding their reports. Mr. Carrier continued to speak after the subject was closed. Supervisor Miller reminded him the subject was closed and that he was out of order at this time.</p> | <p><b>PUBLIC INPUT:<br/>MR. MARC<br/>CARRIER</b></p> |

**AGENDA ITEMS**

- |  |  |
|--|--|
| <p>1. <b><u>Resolution #12-2014: To Adopt the Wayne County Multi-Jurisdictional All Hazard Mitigation Plan:</u></b> Jim Welch made the motion to adopt the Wayne County Multi-Jurisdictional All Hazard Mitigation Plan.</p> | <p><b>MTN: APPROVE<br/>RES. #12-2014<br/>WC HAZARD<br/>MITIGATION PLAN</b></p> |
|--|--|

**Resolution #12-2014**

**MTN: APPROVE  
RES. #12-2014**

**RESOLUTION TO ADOPT WAYNE COUNTY MULTI-JURISDICTIONAL  
ALL-HAZARD MITIGATION PLAN**

**WHEREAS**, the Federal Emergency Management Agency (FEMA) has approved the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan; and

**WHEREAS**, FEMA requires that each participating municipality pass a resolution adopting this plan; now, therefore, be it

**RESOLVED**, that the Town of Palmyra, New York hereby adopts the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan as the Town of Palmyra Hazard Mitigation Plan and the Town Clerk is hereby directed to forward two signed/sealed copies of this resolution to the Wayne County Director of Emergency Management, located at 7376 Route 31, Suite 2000, Lyons, NY 14489-9174; and be it further

**RESOLVED**, that the Wayne County Director of Emergency Management is hereby authorized to forward one copy of said resolution to FEMA.

**BY ORDER OF THE TOWN BOARD**

Adopted this 24<sup>th</sup> day of July, 2014,  
at the meeting of the Palmyra Town Board.

Second: Mike Lambrix                      Vote: 3 Ayes. Carried.

- 2. **Resolution #13-2014: Declare Vacant Structure as Public Nuisance:**  
Dave Nussbaumer made the motion to resolve to follow procedure prescribed in "The Property Nuisance Abatement Law of the Town of Palmyra" (Local Law #2 of 1999) when dealing with the structure located at 4775 Tellier Rd.

**MTN: APPROVE  
RES. #13-2014  
DECLARING  
STRUCTURE AS  
PUBLIC NUISANCE**

**Resolution #13-2014**

**VACANT STRUCTURE DECLARED AS PUBLIC NUISANCE**

**Resolved: to follow procedure prescribed in "The Property Nuisance Abatement Law of the Town of Palmyra" (Local Law #2 of 1999)**

**WHEREAS**, the Property Abatement Law of the Town of Palmyra (Local Law #2 of 1999) lists procedure for action concerning property at 4775 Tellier Road in East Palmyra; and

**WHEREAS**. Section 5 of the Property Abatement Law requires the Building Inspector to inspect the structure at 4775 Tellier Road in East Palmyra and issue a report to the Town Board with findings and recommendations; and

**WHEREAS**, the inspection was done on July 9, 2014, with report submitted July 23, 2014, stating the condition of said property; and

**WHEREAS**, Section 6 of the Property Abatement Law requires the Town Board to review the report and determine appropriate action.

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of Town of Palmyra hereby declares the structure at 4775 Tellier Road in East Palmyra to be a “public nuisance” and is unsafe and dangerous; and

**BE IT FURTHER RESOLVED** that the Town Board of the Town of Palmyra orders said structure to be removed, following correct procedure by having the Code Enforcement Officer to first serve the owners of record of said property with this order within ten (10) days of this resolution; and

**BE IT FURTHER RESOLVED** that the procedures listed in Sections 7, 8 and 9 of the Property Nuisance Abatement Law will be followed when serving the owners, establishing a date for a hearing with the property owners; and

**BE IT FURTHER RESOLVED** that the property owner has thirty (30) days from the date of service of the notice to take action on the removal of the structure and completion within sixty (60) days thereafter; and

**BE IT FURTHER RESOLVED** that if the owner fails to comply with the order, the Town Board will then be authorized to provide for the repair or removal of the structure, with all expenses incurred by the Town in connection with the proceedings to remove the structure, be levied and collected in the same manner as provided for in the Town Law for the levy and collection of Town taxes or special *ad valorem* levies; and

**BE IT FURTHER RESOLVED** that according to Section 7E of the Property Nuisance Abatement Law, the Town Board requests a hearing with the property owners during a regularly scheduled Town Board meeting on August 28, 2014 at 7:00 p.m. at the Palmyra Town Hall.

**BY ORDER OF THE TOWN BOARD**

Adopted this 24<sup>th</sup> day of July, 2014,  
at the meeting of the Palmyra Town Board.

Second: Mike Lambrix      Vote: 3 Ayes. Carried.

- 3. **Resolution #14-2014: Authorizing Town to Submit Application on for Koeberle Farm to Department of Ag. & Markets:** Dave Nussbaumer made the motion to authorize the Town of Palmyra to Submit the Koeberle Farm application to the NYS Department of Ag & Markets Farmland Protection Implementation Grant Round 13.

**RES. #13-2014  
DECLARING  
STRUCTURE AS  
PUBLIC NUISANCE  
CONTINUED**

**MTN: APPROVE  
RES. #14-2014-  
KOEBERLE FARM  
APPLICATION**

Resolution #14-2014

AUTHORIZING THE TOWN OF PALMYRA TO SUBMIT THE KOEBERLE FARM TO THE NYS DEPT. OF AGRICULTURE AND MARKETS FARMLAND PROTECTION IMPLEMENTAION GRANT ROUND 13

RES. #14-2014-  
KOBERLE FARM  
APPLICATION  
CONTINUED

**WHEREAS**, the Town of Palmyra Comprehensive plan goals include encouraging the retention of high quality agricultural land for farm uses and identifies conservation easements as one land use tool; and

**WHEREAS**, the Town of Palmyra, received a pre-application for consideration by the Town Board from one farm operation expressing interest in participating in a New York State Farmland Protection program in order to sell an agricultural conservation easement on their farm properties in the Town of Palmyra; and

**WHEREAS**, the Koeberle family is willing to offer the easement at a bargain sale of 87.5% of the value of the easement to protect their farmland, now, therefore be it

**RESOLVED**, that the Town of Palmyra intends to submit the Koeberle farm to the NYS Department of Agriculture and Markets Farmland Protection Implementation Grant Round 13; and be it further

**RESOLVED**, that the Town Supervisor is hereby authorized and directed to execute any agreements or documents necessary to implement this resolution on behalf of the Town of Palmyra.

**BY ORDER OF THE TOWN BOARD**

Adopted this 24<sup>th</sup> day of July, 2014,  
at the meeting of the Palmyra Town Board.

Second: Jim Welch                      Vote: 3 Ayes. Carried

**4. Approve: Annual Manufactured Home Permits** Mike Lambrix made the motion to approve the annual Manufactured Home Permits. It was noted there is still one outstanding at this time.

MTN: APPROVE  
ANNUAL  
MANUFACTURED  
HOME PERMITS

Second: Dave Nussbaumer                      Vote: 3 Ayes. Carried

**5. Approve: Highway Superintendents Attendance to the Fall Highway Conference:** Jim Welch made the motion to allow the Highway Superintendent to attend the Fall Highway Conference in the Catskills, with expenditures not to exceed \$726.00.

MTN: APPROVE  
HWY SUPER. TO  
ATTEND  
CONFERENCE

Second: Dave Nussbaumer                      Vote: 3 Ayes. Carried

7. **Claims and Expenditures:** Dave Nussbaumer made the motion to approve claims and expenditures in the July 2014 abstract, voucher #2969 thru #3067, totaling \$49,263.29.

**MTN: APPROVE CLAIMS AND EXPENDITURES**

Second: Mike Lambrix

Vote: 3 Ayes. Carried

8. **Enter Executive Session:** At 7:47 PM, Councilman Lambrix made the motion to enter inter executive session to discuss pending litigation.

**MTN: ENTER EXECUTIVE SESSION**

Second: Jim Welch

Vote: 3 Ayes. Carried

**Exit Executive Session:** At 8:29 PM, Councilman Nussbaumer made the motion to return from executive session.

**MTN. EXIT EXECUTIVE SESSION**

Second: Mike Lambrix

Vote: 3 Ayes. Carried

9. **Adjourn Meeting:** At 8:30 PM, Mike Lambrix made the motion to adjourn the meeting.

**MTN: AJOURN MEETING**

Second: Jim Welch

Vote: 3 Ayes. Carried

Respectfully submitted,

Irene Unterborn  
Town Clerk

**ATTACHMENT A: NON-EXCLUSIVE WATER TANK ATTACHEMENT AGREEMENT**

**ATTACHMENT B: SOLID WASTE MANAGEMENT FACILTY INSPECTON REPORT – DEC JULY 16, 2014**

**ATTACHMENT C: OUT OF DISTRICT SEWER USE CONTRACT - LABCO**

**NEXT MEETING**  
**Thursday August 28, 2014, 7:00 PM**  
**PALMYRA TOWN HALL**