

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
September 25, 2014**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, September 25, 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 David Nussbaumer to approve the minutes of the Town Board meeting on August 28, 2014.

**MTN: APPROVE
PREVIOUS
TOWN BOARD
MINUTES**

Second: Jim Welch

Vote: 3 Ayes. Carried

Also attending was: John Rush, Marc Carrier, Code Enforcement Officer Dan Wooden, Richard Hagar, and Matt La Mora.

ATTENDANCE

HEARING

HEARING

There was no official hearing this evening.

COMMUNICATIONS

There were no communications received for this evening.

**COMMUNICAT-
IONS**

REPORTS OF STANDING COMMITTEES

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

**DAVIS-ULMER FIRE
INSPECTION**

1. Davis –Ulmer Fire Inspection Report for Town Hall: Supervisor Miller shared the annual inspection report for the fire alarm system at the Town Hall. The town passed the inspection with flying colors except for one alarm that could not be checked in the historian's closet. Once the key was located, that too passed without issue.

**NYS COMPTROLLER
AND FISCAL STRESS**

2. Letter from NYS Comptroller Regarding "Fiscal Stress": The Supervisor received an assessment from the NYS Comptroller showing that the Town of Palmyra is under very little "fiscal stress", and that we are doing a good job at being fiscally responsible. The second page of the correspondence included a graph that showed we had a Fiscal Stress Score of only 1.7% out of 100%. The average score for surrounding towns in our county, and in the Finger Lakes was approximately 12%.

**CONTACT WITH DIV.
OF MATERIALS
MANAGEMENT-
DEC**

3. Memo to the Board Regarding the NYSDEC: Councilman Welch and Supervisor Miller contacted Division of Materials Management and Mr. Miller read the following memo to the board:

"Councilman Welch and I contacted the NYSDEC on 9/23/14. We spoke to the Division of Materials Management. The manager fully supported Mr. Amann's findings and conclusions. He explained there are several hundred closed landfills in New York state that show signs of rust colored stains from natural iron in the soil. He also discussed the appearance of sheen on the puddles or pools of water caused by micro-organisms, also common. He stated that the DEC has no reason to request the Town of Palmyra to take action on any property it owns on Garnsey Rd. The NYSDEC will answer any questions through the town in writing."

Supervisor Miller

Councilman Welch added that he had urged Supervisor Miller to contact the DEC to answer these questions, and reiterated that any further questions that anyone might have should be submitted in writing to the Town Clerk or Supervisor within the next week. Any questions would then be forwarded to the DEC. Mr. Welch also added that though the members of the Town Board do welcome these questions, they are neither lawyers nor environmentalists, and that they rely on, and have faith in, the DEC and other resources to take care of these matters.

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

**TOWN CLERK
REPORT FOR
AUG./SEPT.**

1. Town Clerk Office Report for August / September:

TOWN CLERK OFFICE REPORT TO THE BOARD
SEPTEMBER 2014

After last months meeting:

Signed copies were received by the Village and School for Bamberger Litigation, school taxes were mailed out, the Democratic Primary and Flu Clinic were both held at the Town Hall, legal notices were posted, budget was completed and minutes were sent to the Board Members as well as department heads.

General Information:

August and September are as usual; hunting licenses and school taxes! So far we have collected \$5,385,326.00 (1775 properties paid so far) of the \$14,248,954.00 total warrant. We anticipate almost twice that before the end of this week as we will receive the larger payments from the larger mortgage brokers. Both Heidi and Joan have done a fantastic job keeping up with sending out the tax receipts after I have entered the payments.

Celeste has continued working with the Archive and Record Management projects. The software programs she had been waiting for is finally working properly. She will be cross training both Heidi and I, as soon as we are thru this first month of tax collection! In the mean time, she has been re- arranging and identifying files in safes to make them easier to access.

Heidi has continued to pursue past due dog owners, which has not only alerted us to dogs that are no longer here, but has reminded owners that they need to pay their licensing fees! Through dog licensing, in July/August (August being much busier than July), we sold 187 licenses totaling \$1747.00, misc sales, including marriages licenses, hunting/fishing, vital record requests, Bingo proceeds, etc – added an additional \$10,126.66. Total check disbursements for the months of July/August totaled \$11,624.66.

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

**HWY REPORT
FOR SEPTEMBER**

- 1. Highway Department report for August:** Highway Superintendent Mike Boesel submitted the following report from August 28, 2014 through September 25, 2014.

**Highway Superintendent Report
For Town Board Meeting
09/25/14**

Since the 08/28/14 meeting we have completed the following work:

**HWY REPORT
FOR SEPTEMBER
CONTINUED**

- Shoulder work - Goldsmith and Lusk Roads
- Hauling - Stone and sand
- Inter-municipal Assistance
 - 8/28/14 1 Palmyra Bobcat/Mill/operator to Macedon
 - 9/10/14 1 Palmyra Loader/Widener w/operators to Walworth for shoulder work
 - 9/11/14 1 Palmyra Loader/Widener w/operators to Walworth for shoulder work
 - 9/12/14 1 WC Hwy roller to Palmyra for chipseal assistance on Goldsmith/Lusk

Other miscellaneous items include:

- **Brush Mowing** – We intend to continue brush mowing and tree trimming operations as time permits thru the rest of the year and as the winter season permits. We have recently been working on Harris Road.
- **Roadwork** – On September 12th, Suit Kote assisted us with chipsealing Goldsmith and Lusk Roads and on the 18th/19th we installed the shoulders essentially completing the project with the exception of some sign replacements. Sometime in the next 2 weeks we intend to perform surface treating work to Desmith Road and Hanley Road.
- **Striping** - WC Highway recently completed striping all our roads for the season.
- **Winter Preparations** – Our salt barn and salt/sand barns are full. We have a small pile of extra sand started but intend to haul more as time permits. Several of the trucks were recently serviced. In the next few weeks we started to review our snow plows/wings, sanders and tire situations.

Councilman Jim Welch explained that Mr. Boesel was not able to attend this evenings meeting, but that they spoke in length and if there were any questions they could be directed to him, and he would get the answer.

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

**TOWN HALL
REPORT-
CARPETCLEANING,
GUTTERS IN 2015**

1. **Town Hall:** Councilman Pipitone was absent, so Supervisor Miller pointed out that we had already discussed the fire inspection report. He also added that next year's budget includes carpet cleaning, trees for out in front and addressing the gutters. The preliminary budget for the Town Hall is \$18,000.00.

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

**ASSESSORS
REPORT FOR
SEPTEMBER**

1. **Assessor's Office Report for September:**

REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
SEPTEMBER 22, 2014

I have been very busy exemptions being returned as we sent out a little over 300 Enhanced or senior STAR renewals at the beginning of the month. So far about one third have been returned. They do not need to be back in the office until March 1, 2015, but if they are sent out in September, the property owners can bring them in when they pay their school taxes and have it done with. Also, if anyone is a "snow-bird" they can get the information to me before they leave and not worry about not having the information with them at their winter residence. It saves a lot of time for us when we don't have to try to track someone down from out of state to make sure they don't lose their exemption(s).

We are still hearing from people who did not sign up with the State to renew their Basic STAR exemption. After several letters from both the State and my office, postcards from the State and a phone call from the State, the property owner says that they either did not get anything from the State or they just didn't do it. I have to send them to the State to go thru the process before I can reinstate the exemption, as it was deleted in August before the tax bills were printed, as I was directed to do by the Department of Taxation and Finance.

As always, if there are any questions or concerns, I am at your disposal.

2. **Code Enforcement/Zoning Office Report- September:** 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 September 25th, 2014. Councilman Nussbaumer invited all to read it at their leisure.

**CEO REPORT
FOR SEPTEMBER**

**TELLIER RD.
PPROPERTY AND
CSX**

Code Enforcement Officer Dan Wooden added that he received paperwork from John Morrell for the Tellier Rd property which will be sent to the Supreme Court. Mr. Wooden looked it over, but was not sure if Mr. Morrell had submitted the documents yet.

Supervisor Miller stated that he was contacted by a representative from CSX, and was told that unless the Tellier Rd. property was in the right of way, CSX had no right to enforce anything. Mr. Miller had forwarded pictures to them, and they did agree that if it indeed does fall down, it could be a potential safety hazard. CSX will be forwarding a letter in support of the actions the town is pursuing to remove the threat.

**NO ZONING BD.
MEETING IN
SEPTEMBER**

3. **Minutes from Zoning Board Meeting for September:** There was no meeting in August.

**PLANNING BD.
MEETING IN
SEPTEMBER**

4. **Minutes from Planning Board Meeting on September 8, 2014:** The minutes were shared with the board this evening.

INFORMATIONAL ITEMS**SHERIFF'S REPORT**

1. **Wayne County Sheriff's Office:** Supervisor Miller provided a copy of the flyer for Nationwide Prescription Drug "Take Back Day" on September 27th, where people can bring their expired or unused drugs to numerous locations to be disposed of properly. Councilman Nussbaumer asked if there was also going to be a chemical pick-up day. Mr. Miller said that that was very expensive for the county, and he did not think so. Councilman Lambrix said that you can dispose of paint by using "Speedy Dry" to harden it before throwing the cans away in the trash.

**EAST PALMYRA
FIRE DEPT.
AUCTION**

2. **East Palmyra Fire Department Auction:** There will be an auction at the East Palmyra Fire Hall on Saturday September 27th, beginning at 4:30 PM. Donations are being accepted.

WC SOIL BULLETIN

3. **Wayne County Soil District Bulletin:** The Summer 2014 Wayne County Soil District Bulletin was distributed to the board. Supervisor Miller pointed out that a new harvester was dedicated and an article was included in this issue.

**FALL GOV'T
WORKSHOP**

4. **Fall 2014 Local Government Workshop:** The Local Government Workshop has been announced. It will be taking place in Batavia, NY on Friday November 14th, 2014.

5. **EMS Advisory Board Meeting:** There was an EMS Advisory Board meeting on Wednesday, September 17th, 2014. Mr. John Rush provided a copy of the minutes to the board members, and was present to answer any questions that may have arisen. Supervisor Miller pointed out that today was Rick Bond's (from 911 dispatch) last day.

**EMS ADVISORY
BOARD**

6. **Brooks & Hoffman: "Plan 2014":** Monroe County Executive Maggie Brooks and Wayne County Board of Supervisors Chairman Jim Hoffman voiced their opposition to changing the Lake Ontario water levels as this could have devastating consequences for some of our county's lake shore properties. A copy of the press release was shared with our board.

**PLAN 2014: LAKE
ONTARIO LEVELS**

7. **Ringling Brothers Circus:** Supervisor Miller shared an announcement inviting town employees to purchase Ringling Bros. and Barnum & Bailey Circus tickets at a discounted price. The circus will be in Rochester NY, on October 29th- November 2nd.

CIRCUS TICKETS

AGENDA ITEMS

1. **Approve: Part-time, Temporary Help in the Assessor's Office:** Dave Nussbaumer made the motion to hire part-time temporary help to be paid by voucher at \$12.00 per hour.

**MTN: APPROVE
TEMP. HELP IN
ASSESSOR'S
OFFICE**

Second: Mike Lambrix

Vote: 3 Ayes. Carried

2. **Approve: Tentative Budget for 2015:** Mike Lambrix made the motion to approve the 2015 Tentative budget. Supervisor Miller said there was a question from a previous meeting as to whether or not the tentative budget could be changed. The answer was yes, it could be changed up or down. The motion was made again to approve.

**MTN: APPROVE
TENTATIVE 2015
BUDGET**

Second: Dave Nussbaumer

Vote: 3 Ayes. Carried

The 2015 Tentative Budget becomes the 2015 Preliminary Budget after approval and will be available in the Town Clerk's office.

3. **Approve: Supervisor and Bookkeeper to Attend Personnel Management School:** Dave Nussbaumer made the motion to approve both Supervisor Miller and Bookkeeper Petra Anderson to attend the NYS 2014 Personnel Management School in Buffalo, NY on Friday November 14th, 2014, not to exceed \$150.00 plus mileage if necessary.

**MTN: APPROVE
SUPERVISOR AND
BOOKKEEPER TO
ATTEND SCHOOL**

Second: Mike Lambrix

Vote: 3 Ayes. Carried

**MTN: APPROVE
DATES FOR PUBLIC
HEARING FOR FIRE
DISTRICTS****4. Approve: Dates for Public Hearings for the Fire Protection Districts:**

Mike Lambrix made the motion to approve the date of October 23rd, 2014, at the East Palmyra Fire Hall for public hearings for the Village of Palmyra Fire Protection District beginning at 7:00 PM, Port Gibson Fire Protection District at 7:05 PM, and the East Palmyra Fire Protection District at 7:10 PM.

Second: Dave Nussbaumer

Vote: 3 Ayes. Carried

ADDITIONAL AGENDA ITEM ADDED**MTN: APPROVE
JOAN GATES FOR
FMLA**

5. Approve: Joan Gates for FMLA (Family Medical Leave Act): At the request of Supervisor Miller a 5th Item was added to the agenda for approval. Mike Lambrix made the motion to approve Assessor's Clerk Joan Gates for FMLA.

Councilman Nussbaumer commented that he felt since Mrs. Gates was not able to provide all the proper information needed to complete the paperwork, her request should not be granted. After the motion was seconded by Dave Nussbaumer, Supervisor Miller asked for a roll call vote.

Roll Call Vote: Councilman Nussbaumer - Nay
Councilman Lambrix - Nay
Councilman Welch - Nay
Councilman Pipitone - Absent
Supervisor Miller - Nay

Vote: 4 Nays. This motion was Not Carried

The following prepared statement was read by Supervisor Miller:

"The Palmyra Town Board has voted on and denied Joan Gates' request for FMLA. Full time benefits will be suspended until further notice by the Town Board. The Town will notify Joan Gates by certified mail of this decision."

Supervisor Miller

PUBLIC INPUT

Supervisor Miller asked if anyone had contacted the Town Clerks office and ask to address the board. There was not.

PUBLIC INPUT

However, Marc Carrier asked if he could approach the board. He was allowed and both Mr. Carrier and Mr. Hagar approached the board and

produced samples of water and soil from four separate properties located on Garnsey Rd. The board refused the samples as they were not taken by the DEC, and once again encouraged the gentleman to contact the DEC, through the town, with any questions. Mr. Carrier stated that he felt the EPA would be interested in the micro-organisms found in these samples. Once again, the board invited Mr. Carrier to put any of these type questions in writing, so they could be forwarded to the DEC. These samples were unacceptable.

**PUBLIC INPUT –
MARC CARRIER,
SOIL AND WATER
SAMPLES**

Claims and Expenditures: Dave Nussbaumer made the motion to approve claims and expenditures in the September 2014 abstract, voucher #3173 thru #3271, totaling \$145,079.25

**MTN: APPROVE
CLAIMS AND
EXPENDITURES**

Second: Jim Welch

Vote: 3 Ayes. Carried

Adjourn Meeting: At 7:21 PM, Mike Lambrix made the motion to adjourn the meeting.

**MTN: ADJOURN
MEETING**

Second: Dave Nussbaumer

Vote: 3 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

NEXT REGULAR MEETING
Thursday October 23rd, 2014, 7:00 PM,
EAST PALMYRA FIRE HALL