

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
March 24, 2016**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, March 24, 2016, 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

ROLL CALL

Upon roll call, the following Board members were present:

- Kenneth Miller, Supervisor
- James Welch, Deputy Supervisor
- Mike Lambrix, Councilman
- Todd Pipitone, Councilman
- Bradley Cook, Councilman

MTN: APPROVE PREVIOUS TOWN BOARD MINUTES

Motion was made by Jim Welch to approve the minutes of the Town Board meeting on February 25, 2016.

Second: Todd Pipitone Vote: 4 Ayes. Carried

Also attending were: Palmyra Code Enforcement Officer Pat Sheridan, Marc Carrier, Jacob Carrier, Superintendent of Highways Mike Boesel, Frank Vascukynas, and Daniel Cashman.

ATTENDANCE

GUEST SPEAKER

Mr. Daniel Cashman, a representative from AstraNetworks, presented the board with options for a new telephone system. The first option is a complete replacement with another Panasonic telephone, like we have, which have proven to be durable and reliable that will last for many years. This will have an on-premise phone system for about \$90/month. Our current system costs approximately \$150/month. The second option would be a cloud system where all functionality and all features reside in the "cloud."

DANIEL CASHMAN ASTRANETWORKS TELEPHONE SYSTEM

Supervisor Miller asked how many calls could be handled simultaneously. Mr. Cashman explained that either system could handle at least 25 calls.

Further discussion and explanation ensued

Councilman Pipitone reiterated the cloud based system charges would be \$3999.95 plus a one-time set up fee of \$105 and monthly charges estimated at \$212/month. Mr. Lambrix asked how long would we be contracted and what happens when they increase cost per usage. Mr. Cashman explained that there has been an explosion in the number of companies dealing with the cloud and prices have steadily gone down in the last four years. Mr. Pipitone thanked Mr. Cashman for coming, offered to follow up with the courts, and would contact Mr. Cashman soon.

HEARING

There was no official hearing this evening.

COMMUNICATIONS

A letter from Richard Hagar, Frank Vascukynas, and Marc Carrier received on Friday, March 11, 2016 regarding meeting that took place on December 7, 2015 will be **Attachment A**. Discussion to follow.

“TRANSCRIPT OF MEETING FROM CARRIER, HAGAR, VASCUKYNAS.

PUBLIC INPUT

Marc Carrier, who resides at 399 Garnsey Rd. Palmyra, addressed the board regarding Federal Law 40CFR and 258.50 through 258.58 E-G pertaining to the responsibility of the owner/operator of solid waste containment sites. Mr. Carrier’s interpretation of this law and further comments can be found in the attached letter (**Attachment B**).

ATTACHMENT A

FEDERAL LAW PERTAINING TO SOLID WASTE

ATTACHMENT B

REPORTS OF STANDING COMMITTEES

Supervision: Animal Control, Human Resources, Historian, and Finance - Supervisor Ken Miller

1. **MRB meeting regarding Building Security:** Supervisor Miller shared a schematic drawing of security measures that should be done in the Town Hall. He noted that this is not a final drawing, and department heads were reviewing for additional changes needed. This evening, the decision will need to be made as to whether or not we will spend the additional \$5,000.00 so that MRB can continue putting together a complete bid packet for construction.

MRB BUILDING SECURITY MAP

2. **CSX update regarding 4775 Tellier Rd:** Supervisor Miller has been communicating with CSX, but has not made any progress on getting CSX to share costs of demolition of the property. Councilman Pipitone has been in contact with Senator Schumer’s office and has secured their support in the board’s dealing with CSX. Mr. Pipitone is awaiting further word from the senator’s office.

CSX UPDATE- SEN. SCHUMERS OFFICE

3. **Opposition to \$15.00 Minimum Wage:** A resolution will be up for approval later this evening, voicing our community’s opposition to the \$15 Minimum Wage.

OPPOSITION TO MINIMUM WAGE HIKE TO \$15

4. **Designation of Delegates:** The designation of delegates to vote at the Association of Towns was not valid. The rule has changed for the upcoming year, but for 2016 the delegates were supposed to be from the Town they were voting on behalf of. This had not been the case in the past, nor will it be a problem in the future.

STATE MEETING DELEGATES

**Human Services: Town Clerk, Archives, and Town Hall Facility -
Councilman Bradley Cook**

Town Clerk Report: Councilman Cook shared the following town clerk’s office report with the board:

TOWN CLERK OFFICE REPORT TO THE BOARD
MARCH 2016

Through dog licensing in February 2016, we sold 103 licenses totaling \$793.00, misc sales, marriage licenses, hunting/fishing, vital record requests, etc- added an additional \$6044.73. Total check disbursements for the month of February were \$6794.73.

TOWN CLERK REPORT

EZ Pass sales have increased as the weather has gotten nicer, and with the board’s approval, I would once again like to put an article in the paper stating that they are available for purchase at the town hall, along with a few other things happening in the Town Clerk’s office (ie. Fishing/hunting licenses etc). I will gladly share with our board liaison anything that I write before submitting to the newspaper.

March has been steady with Town and County tax collection and water payments. So far, since January 1, we have collected \$4,191,837.49 of the \$4,884,810.53 tax warrant....leaving just \$692,825.17 to be collected until the final deadline of March 31st.

We have received many compliments on the convenience ramp that was installed in the front of the town hall. Many are looking forward to the front entrance becoming a fully accessible entrance.

**LEGAL NOTICE
ANNUAL
FINANCIAL
REPORT**

2. Legal Notice for Town of Palmyra Annual Financial Report: The Bookkeeper’s Annual Financial Report has been completed and has been submitted to the NYS Comptroller’s Office, and a copy is now available in the Town Clerk’s office for review. The following legal notice was submitted as per law. Any questions should be directed to the bookkeeper.

**LEGAL NOTICE
TOWN OF PALMYRA ANNUAL FINANCIAL REPORT
FISCAL YEAR 2015**

NOTICE IS HEREBY GIVEN, that the 2015 Annual Financial Report for the Town of Palmyra has been filed with the Office of the State Comptroller and with the Palmyra Town Clerk.

Said report is available for viewing by any interested party at the Town Clerk's office, 1180 Canandaigua Road, Palmyra, during regular business hours: 9 a.m. to 5 p.m., Monday through Friday.

Dated: March 16, 2016

**BUILDING
MAINTENANCE**

3. General Facility Maintenance and Front Entrance: Haak Construction visited the Town Hall and repaired whatever leaks could be found. Lighting in the parking lots has been completed.

**Public Works: Highway Department, Equipment and Facilities -
Councilman James Welch**

1. Highway Department report for March: Highway Superintendent Mike Boesel submitted the following report from February 25, 2016 through March 24, 2016:

HWY REPORT

**Highway Superintendent Report
For Town Board Meeting
3/24/16**

Since the 2/25/16 Town Board meeting we have completed the following work:

- **Plowing/Sanding** –To date this winter season we have made a total of 53 trips out of the barn. A comparison to this point of the past 4 winter seasons is below:
 - March 2015 - 114 trips
 - March 2014 - 128 trips
 - March 2013 - 77 trips
 - March 2012 - 42 trips.
- **Salt Orders** – To date this winter season we have ordered approximately 1183 tons of our 2800 ton allotment, which approximately 42% of our requested allotment. To fulfill our 70% obligation we need to order 777 tons. We believe we will have room for this between the sand mix barn and salt barn.

- **Highway Facility Issues** - On Wednesday March 16th, I had a mechanical contractor, HMI from Lyons, NY visit to look at the possibilities for an air exchange system and new heating system. In the coming weeks I hope to have the shop hoist inspected and repairs/upgrades assessed.
- **Winter/Summer Fleet Maintenance** – Over the past 30 days we have continued with general maintenance on the entire winter and summer fleet of equipment.
- **Brushmowing/Tree work** - We have performed brushmowing and tree work on Palmer, Eckert, Port Gibson, Floodman, Cornwall, Walker and Cambier Road.
- **Advocacy Day Approval - CHIPs Funding** – I attended our annual Advocacy Day in Albany on March 8-9th along with a record crowd of close to 800 attendees. We had 17 attendees from Wayne County including 2 retirees. With the Senate and Assembly both proposing increases above the Governors proposed budget, we are optimistic for an increase again this year. Stay tuned.
- **Chevron Sign Replacement Project** - We are continually trying to keep our local signage up-to-date with changing Federal and State laws regarding vehicle and traffic control signs. On March 8-9th we updated all our chevron curve signs with new, high-intensity reflective signage.
- **Garnsey Road Property** - On March 2-4th, we rented a bobcat mini excavator with brush mowing attachment to remove woody vegetation growing on the property. While onsite, we also addressed animal burrows we encountered. This work was performed in a continual effort to address the NYS DEC recommendations from their 5/1/15 correspondence and 4/13/15 site inspection.
- **Town Hall - Outside Lighting Upgrade** - On March 16th we installed new LED light bulbs in approximately 8 of 15 lights outside the Town Hall building. We will complete the project upon receipt of the backordered adaptor sockets.
- **Palmyra Municipal Auction** – The date has been set for Saturday May 14, 2016. I have the Auction Contract for approval.

**HWY REPORT
CONTINUED**

**GARNSEY RD
PROPERTY – DEC
RECOMMENDA-
TIONS**

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

Superintendent of Highways Mike Boesel further commented that, according to his records, March 2012 was an even lighter plowing month than March 2016. He concluded by stating that the House and the Assembly requested more money on behalf of us – more CHIPs funding.

Town Development: IT & Phones, Fire Protection Contracts, and Strategic Plans - Councilman Todd Pipitone

1. **Correspondence with Senator Schumer's Office regarding CSX** – As discussed previously, a letter to Senator Schumer's Office was sent by Councilman Pipitone asking for assistance in moving this project forward. We are awaiting a response from Senator Schumer's Office.

**SENATOR
SCHUMERS HELP
WITH CSX**

2. **Town Hall Telephones:** Previously discussed with Daniel Cashman.

**ASSESSOR'S
REPORT**

**Government Operations: Assessor, Youth & Aging, Code
Enforcement/Planning Board, and Justices
-Councilman Michael Lambrix**

1. Assessor's Office Report for March: Councilman Lambrix invited the board to read the Assessor's Report at their own leisure. The Town Clerk pointed out that a copy of the final consent order (Bamburger vs. Town of Palmyra) is available for review in the Clerk's Office. Also, the Assessor included a copy of her current continuing education list.

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
MARCH 21, 2016**

We have stopped taking exemption applications for this assessment roll, although we are now taking applications for the STAR for next year's assessment roll. We are still taking in supporting documentation from the applicants that did not return them with their applications. We still have a couple of weeks that we can do this before the deadline for us to submit our backup copy of the roll for the county to print.

I just received the tentative assessments for the Verizon utilities property from the State. The numbers are attached to this report. As you see, we gained \$17,364 from last year's numbers.

Also attached to this report is my continuing education status report. I need to get 8 more credits by the end of September to meet the state requirements. I am planning to go to Batavia next week for a class that will give me 6 of those credits. There is a class on April 8th on solar panel valuation in Cheektowaga that I am going to sign up for that will give me 6 more credits and another class in May in Batavia that will give me 3 more. I still need one more credit, but if I take another class before October 1st, I will only get 1 accumulative credit for it no matter how many credits are available, so I will wait until then to go to another class. The two classes in Batavia will only cost the mileage for me to drive there and back plus my lunch. The class in Cheektowaga will cost \$110 plus mileage, lunch is included in the tuition. The money is budgeted for this year.

I also just received the judges signed Stipulation and Consent Order and Judgment for the Bamberger's court case. This case is finally over. All we have to do now is send the refund check to their lawyer, which I have put in the voucher for as part of this month's items. Irene has a copy of the sign form.

As always, if you have any questions I can help you with, I am normally in my office 8 – noon and 1 – 4 pm.

VERIZON	2014	2015	2016
63601-99-631900.1881	\$ 23,848	\$ 21,966	\$ 22,706
63689-99-631900.1881	\$ 197,428	\$ 155,458	\$ 181,974
63689-99-631900.1882	\$ 49,150	\$ 61,779	\$ 45,303
63689-99-631900.1883	\$ 29,545	\$ 20,648	\$ 27,232
	\$ 299,971	\$ 259,851	\$ 277,215
Difference		\$ (40,120)	\$ 17,364

**VERIZON UTILITY
PROPERTIES**

2. **Code Enforcement/Zoning Office Report - March:** Code Enforcement Officer Pat Sheridan submitted a report to the Board Members including a list of building permits and certificates of compliance for February 24, 2016 through March 22, 2016. CEO Pat Sheridan invited all to read it at their leisure and stated he had nothing further to add.

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

4. **Minutes from Planning Board Meeting for March:** There was no meeting in March.

INFORMATIONAL ITEMS

1. **NYS Public Service Commission:** A notice was received about upcoming public statement hearings regarding proposed increased delivery rates for NYSEG and RG&E. IDA is looking for support to keep our local nuclear plant running. Numerous jobs in Wayne County would be lost if Ginna closed

**GINNA POWER
PLANT**

2. **EMS Advisory Board Report:** No report for this evening.

3. **Genesee/Finger Lakes Regional Planning Council:** Announced their Spring 2016 workshop at the Burgundy Basin Inn, Pittsford NY. The board members were instructed that if they were interested they would need to ask approval my May 11, 2016.

**GENESEE/
FINGERLAKES
PLANNIGN
COUNCIL**

4. **Buffalo National Weather Service:** The service will be conducting a SKYWARN spotter training seminar in Lyons NY on April 17, 2016.

**NATIONAL
WEATHER
SEMINAR**

5. **SEQR Declaration:** A The positive SEQR Declaration for planned expansion of High Acres Landfill and Recycling Center in Macedon was announced. There is no further action on our part requested.

**HIGH ACRES
LANDFILL**

Agenda Items

MTN: TABLE APPROVAL FOR TELEPHONE SYSTEM

1. **Approve: Telephone System:** Todd Pipitone made the motion to table the approval for new phone system until he receives further information requested.

Second: Brad Cook Vote: 4 Ayes. Carried

MTN: APPROVE MRB TO CONTINUE W/ BUILDING SECURITY PLANS

2. **Approve: MRB Group to continue plans for security at Town Hall:** Todd Pipitone made the motion for MRB Group to continue to the next step to upgrade security. Mike Lambrix questioned how much money has already been spent on MRB Group. Discussion ensued and Mr. Pipitone again made his motion.

Second: Jim Welch Vote: 4 Ayes. Carried

MTN: APPROVE RES.#6-2016 OPPOSING GOV. CUOMO WAGE INCREASE

3. **Approve: Resolution #6-2016: Opposing Governor Cuomo’s Proposed Increase in the Minimum Wage:** Todd Pipitone made the motion to approve the resolution to oppose Governor Cuomo’s proposed increase in the minimum wage to \$15 per hour.

Second: Jim Welch Vote: 4 Ayes. Carried

Councilman Pipitone asked the Clerk how she would get the information to Senator Nozzolio and Assemblyman Bob Oakes before the budget meeting. The Clerk explained that she would be scanning and emailing asap as well as mailing them through the post office.

MTN: APPROVE AUCTION CONTRACT W TEITSWORTH

4. **Approve: Palmyra Town Auction Contract with Teitsworth:** Jim Welch made the motion to approve Highway Superintendent Boesel to sign the auction contract on behalf of the Town of Palmyra.

Second: Mike Lambrix Vote: 4 Ayes. Carried

MTN: APPROVE SUPERVISOR TO SIGN AFFIDAVIT REGARDING LOCATION OF 4712 TELLEIR RD

5. **Approve: Supervisor Miller to Sign Affidavit Regarding location of 4712 Tellier Rd:** Todd Pipitone made motion to allow the Supervisor to sign an affidavit, supplied by legal counsel, stating that 4712 Tellier Rd should have been mapped with a dotted line through the property and not a solid line.

Second: Jim Welch Vote: 4 Ayes. Carried

Motion to approve claims and expenditures: Todd Pipitone made the motion to approve claims and expenditures for the March 2016 Abstract including voucher #5182 thru #5311 totaling \$127,906.21.

MTN: APPROVE CLAIMS AND EXPENDITURES

Motion to enter Executive Session regarding particular personnel: At 8:10pm Todd Pipitone made motion to go into Executive Session regarding a matter of particular personnel.

MTN: ENTER EXECUTIVE SESSION

Second: Mike Lambrix Vote: 4 Ayes. Carried

Motion to exit Executive Session: At 8:45 Mike Lambrix made motion to return from Executive Session.

MTN: EXIT EXECUTIVE SESSION

Second: Jim Welch Vote: 4 Ayes. Carried

Motion to Adjourn: At 8:46 PM, Jim Welch made the motion to adjourn the meeting.

MTN: ADJOURN MEETING

Second: Brad Cook Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Palmyra Town Clerk

ATTACHMENT A Correspondence received from Mark Carrier

ATTACHMENT B Mr. Carrier’s Interpretation of Federal Law 40CFR and 258.50 through 258.58 E-G

NEXT WORKSHOP MEETING: TUESDAY APRIL 12, 2016
7:00 PM - PALMYRA TOWN HALL
Topic for discussion – Highway Facility

NEXT REGULAR MEETING: THURSDAY April 28, 2016
7:00 PM –EAST PALMYRA FIRE HALL