

**REGULAR MEETING OF THE TOWN BOARD  
PALMYRA TOWN HALL  
April 22, 2021**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, April 22, 2021, at the at the East Palmyra Fire Hall, 2145 Tellier Road, Palmyra, New York.

Supervisor Miller asked if all had signed the Health Attestation and then led those present in the Pledge of Allegiance to the Flag.

Upon roll call, the following Board members were present:

Kenneth Miller, Supervisor  
Brad Cook, Councilman  
Todd Pipitone, Councilman  
Doug DeRue, Councilman

James Welch, Deputy Supervisor, was absent.

Motion was made by Todd Pipitone to approve the minutes of the regular Town Board meeting which took place on March 25, 2021.

Second: Brad Cook

Vote: 3 Ayes. Carried

**ATTENDANCE**

Also attending was: Marc Carrier, Highway Superintendent Mike Boesel, Jeanne Garlock, Joan Knapp, Bill Guest, Linda Guest, and John Rush.

**HEARING**

There was no official hearing this evening.

**GUEST SPEAKER**

Mike Catalano, our representative from the Wayne County EMS Advisory Board, was unable to attend this evening.

**COMMUNICATIONS RECEIVED**

**E-mail received on, and then forwarded to the board on March 26, 2021 as follows:**

To; Palmyra Town Board and Supervisor Miller  
From; Marc Carrier 399 Garnsey rd.

3-26-21

*During the February 2021 Town Board meeting I submitted a number of pages from the LaBella Characterization report which they were hired to produce by the Town of Palmyra. When I spoke during that meeting I had ask if there where any of you that had read any part of the report at least 2 or 3 of you had gestured in some way that you had not. I would like it to be recognized that each of you had been directed to receive this data which had determined that there are industrial grade carcinogens other toxins along with heavy metals along with other contaminants that are found to be leeching from the containment site owned by the town of Palmyra and traveling to the neighboring privately owned properties as stated in this report.*

*I also feel the need given the history of this discussion along with what may be seen as abuses of power and obstructions of justice not to mention a derelictions of duty all of which has extraordinary documentation in an apparent effort to avoid even this conversation for nearly the last 10 years. Such as the fact that I was personally warned in relation to health concerns, and had brought this to your attention, by DEC rep. Mark Amann to use caution where I remove firewood from the property I worked for several years at that time, while standing on that very property.*

*We the neighbors to these site, which you know well, expect an opportunity for a structured conversation for our way forward that we may be properly represented and made whole to things in your immediate ability such as property values and still believe there should be assistance in relocating those most at risk to avoid further health consequences, to something that could have been addressed so much earlier. and to look at the extent that this is likely having adverse health effects on others as well at a greater distance. Thank You once again for your time in this matter. Marc Carrier*

**PUBLIC INPUT \***

There was no request for public input.

The following statement will now be included on all public agendas:

***\*If you are attending a Town Board Meeting have not signed up for Public Participation Section of the Town Board Meeting pursuant to the rules which have been established (24 hrs prior to start of meeting), then you will not be able to express your opinion. As a courtesy to those who attend the Board Meeting, you are requested not to interrupt the meeting, and refrain from conversation that would interfere with those attending being able to hear the Board transact its business. If in fact someone interferes with the meeting or the conversation with other spectators should require a warning and it is ignored, the person could be charged with Disorderly Conduct. For public hearings, speaking will be limited to topics on the agenda.***

**REPORTS OF STANDING COMMITTEES****Supervision---Animal Control, Historian, Justices, and Finance****-Kenneth Miller, Chairman**

**1. Camping in Aqueduct Park:** The state and county will be allowing about a half dozen camping spots along the canal in Aqueduct Park that will need to be reserved ahead of time. This is all in the planning stages so it is unclear who will be who will be supervising. The park is owned by the county, and the camping spots is in Macedon.

**2. Cannabis in the Town of Palmyra:** The Supervisor and Town Clerk attended a virtual state meeting regarding the options for a town with regards to the forthcoming legalization of cannabis in NYS. This law will be run somewhat like the smoking laws in that it will not be allowed in public spaces. After "attending" the seminar, and learning some of the facts, the Supervisor does not feel this will be a big tax generator.

**3. 2020 Annual Financial Report:** The 2020 Annual Financial Report for the Town of Palmyra has been filed with the Office of the State Comptroller and with the Palmyra Town Clerk. This can also be emailed to anyone that might be interested in viewing it.

**Human Services: Town Clerk, Archives, and Town Hall Facility****- Councilman Bradley Cook****1. Town Clerk Report for April:****TOWN CLERK OFFICE REPORT  
APRIL 22, 2021**

We finished the month of March having collected \$4,912,168.40 of the original Town & County Tax Warrant of \$5,317,083.84. The Town's share, this year, of the penalties paid was \$5,010.00. Even though the total warrant and amount collected was higher this year, the amount of interest paid to the town was lower than last year. This is actually a positive note as it means more people were able to paid their taxes on time! Our collection numbers balanced perfectly, and I settled final payment with the County Treasurer on April 12, 2021.

Through dog licensing in March 2021, we sold 162 licenses totaling \$1, 332.00, misc sales, marriage licenses, hunting/fishing, vital record requests, EZ-Pass, Zoning etc- added an additional \$4,497.10. Total check disbursements for the month of March were \$5,829.10.

We did sell out of EZ-Pass once again this month, so as requested at the last meeting, I did purchase another lot of 25 passes. The \$525.00 is a budgeted purchase.

We have spent a good deal of time in the office this month preparing and researching FOIL requests and other materials that have been requested not only by the public, but legal counsel as well.

**2. Building Update:** We received the filters for the furnaces, they are on the landing to the basement. The Supervisor said that he would be willing to install the filters.

**3. 2020 Annual Financial Report:** The following legal notice was placed in the newspaper, and the report is available in the Town Clerk's office for review.

**LEGAL NOTICE**

**TOWN OF PALMYRA ANNUAL FINANCIAL REPORT FISCAL YEAR 2020**

*NOTICE IS HEREBY GIVEN, that the 2020 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: April 5<sup>th</sup>, 2021*

**4. Records Destruction:** We have boxed and recorded all items set for destruction this year, and the *Shred It* company will be coming on April 28, 2021 to destroy those records. There are approximately 30 boxes scheduled. (This was a budgeted cost and was approved a couple meetings ago, not to exceed \$400.00)

**Public Works: Highway Department, Equipment and Facilities**

**- Councilman James Welch**

**1. Highway Department report for April:**

HIGHWAY SUPERINTENDENT REPORT  
FOR TOWN BOARD MEETING  
04/22/21

Since the 3/25/21 meeting we have completed the following work:

- **Plowing/Sanding** – We made 2 trips so far this April (yesterday and today). To date this winter season, we have made a total of 71 trips out of the barn. A comparison to this point of the past 5 winter seasons is below:
  - April 2020 – 88.5 trips.
  - April 2019 - 114 trips.
  - April 2018 - 109 trips.
  - April 2017 - 90 trips.
  - April 2016 – 59 trips.

Other miscellaneous items include:

- **Salt Orders** – We have not ordered any additional salt for the month of April. For the winter season we remain at 1640 tons of our 2600-ton allotment, or approximately 63% of our allotment. The salt barn has room for more salt and I intend to order 200 tons soon before fuel prices rise any higher. This will get us to our 70% minimum.

- **CHIPs/PAVE/EWR Funding** – With the passage of the 21-22 NYS Budget, and increased assistance from Federal transportation funding, NYS municipalities will be receiving new record transportation funding. Our T/Palmyra CHIPs will increase by ~\$34K from \$117 to \$152K; our PAVE-NY will increase by ~\$13K from \$27 to \$40K; and our EWR Funding will increase by ~\$12K from \$22 to \$34K. I will get official tallies from NYS DOT very soon.
- **Inspections:**
  - Fire Extinguishers – all Hwy Dept fire extinguishers are scheduled for inspection on 5/13/21 by P.A.T.I.
  - Vehicle Inspections – most Hwy Dept vehicles have received annual inspections thru April 2021.
  - Lift Inspection – our shop hoist has been out of service since 4/1/16.
  - Chainfall Inspection – our annual chainfall inspections will be completed by NY Crane soon too.
  - Lifting Chains - all our lifting chains are schedule for inspection by Cook Iron next Tuesday, 4/27/21.
  - Oil/Water Separator – schedule for cleanout next Friday 4/30/21 by NOCO.
- **Canal Bridge Update** – After being closed since August 2020, the Port Gibson Road Canal Bridge re-opened on March 31<sup>st</sup> with no weight restrictions.
- **Training/Personnel** – Our Annual Highway School – Ithaca College – June 7-9<sup>th</sup> will be virtual this year.
- **Winter Equipment and Yard Cleanups** – Most of our winter equipment had been put away until this week. Over the past 30 days, we had completed most of our snowplow damage and cleaned up around the Hwy property for the Auction.
- **New Equipment** – Our new 2021 Ford F550 has been pushed to late May due to the microchip shortages. Our new Mack cab/chassis is complete but headed to outfitters next and expected early Fall.
- **Palmyra Municipal Auction** – Our 35<sup>th</sup> Annual event is scheduled for Saturday May 8, 2021. The Auction Contract is on tonights agenda for approval. We will return to a 'live' auction with masks required.
- **Surplus Equipment** – For the upcoming Auction, we have the following surplus equipment list: 2001 Sterling Tandem Axle Dump, 1987 Bomag 151AD Roller, 2012 Ford F550 Truck, 1999 Mack Single-Axle Dump (to be sold to the Village)
- **Village Budget** – The Village held a Public Hearing on Monday April 5<sup>th</sup>. The new Tax Rate is \$12.12

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

Mr. Guest asked if Dolomite would be taking a portion of Whitbeck Rd. so that they can move product across the road. Mr. Boesel explained that this is a county road, and he had not heard anything about it at this point. After further discussion, it was thought that if this was the case, they would be more likely to build a tunnel under the road.

**Town Development: IT & Phones, Fire Protection Contracts, and Strategic Plans**  
**- Councilman Doug DeRue**

**1. Previous Fire Contracts Are Under Review:** Councilman DeRue is reviewing the previous Fire Contracts, and plans to begin negotiating soon.

Mr. Miller added that he met with the Finger Lakes Planning Council and discussed how small municipalities might actually afford to come up with a strategic plan. The Supervisor was happy to learn that there may be grant money available, but also explained to the council that someone was needed to help prepare one. The Supervisor will keep Councilman DeRue informed.

**Government Operations: Assessor, Youth & Aging, and Code Enforcement / Planning Board**  
**- Councilman Todd Pipitone****1. Assessor's Office Report for April:**

REPORT TO THE TOWN BOARD  
FROM THE ASSESSOR'S OFFICE  
APRIL 20, 2021

We were busy at the beginning of the month getting any and all assessment changes and exemption information entered into the RPS program. We got our backup to the County by April 20<sup>th</sup> so they could get the 2021 tentative assessment roll prepared. We will receive a printed copy for our office and a digital copy (on CD) to be filed at the Town Clerk's Office. As May 1<sup>st</sup> is on a Saturday this year the digital copy will be filed with the Town Clerk on April 30<sup>th</sup>.

The 2021 Tentative roll will also be available on the County's web site. There will be a link on the Palmyra site as soon as I know that the 2021 tentative roll is available. Any assessment change notices will be mailed out no later than Friday April 30, 2021. This is not an update year most changes are due to building permits or other changes since March of 2020.

A notice will be sent in the next week or so, to the Board of Assessment Review reminding them of grievance day. If they feel comfortable stopping in the office I may be holding a meeting with them on Tuesday, May 4th at 7 PM in my office. If they stop in I will give them sale information from the last year and give them a chance to ask me any questions that they may have regarding their duties on grievance day. I will also have them pick an alternative day for grievance hearings in case it is needed.

As this is usually a brief meeting we may just meet before the Grievance/BAR meeting. I can mail out any information that the BAR will need and they can call or email if they have any questions.

Also at this time I have not heard from the State about any possible changes for how this year's Grievance Hearings are to be handled. I will update the Board of Assessment Review as needed.

As always, if you have any questions or concerns, there is normally someone in the office at all times.

**2. Code Enforcement/Zoning Office Report - April:** Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that included a list of building permits and certificates of compliance for March 23, 2021 thru April 20, 2021. He also included a copy of the resignation letter from Don Seier from the Palmyra Town Zoning Board, effective May 1, 2021.

**3. Minutes from Zoning Board Meeting from April 8<sup>th</sup>, 2021:** Minutes from the Zoning Board meeting from April 8th, 2021 were shared with the board.

**4. Minutes from Planning Board Meeting from April 12<sup>th</sup>, 2021:** Minutes from the Planning Board meeting from April 12th, 2021 were shared with the board.

## INFORMATION

There was no additional information for this evening.

## AGENDA ITEMS

**1. Approve: Municipal Auction Contract with Teitsworth:** Brad Cook made the motion to approve the Municipal Auction Contract with Teitsworth. The May 8<sup>th</sup>, 2021 auction will be held in person and on line.

Second: Todd Pipitone      Vote: 3 Ayes. Carried

**2. Approve: Intermunicipal Agreement for Administration, Maintenance, and Repair of Village Highway System:** Todd Pipitone made the motion to approve Supervisor to sign Intermunicipal Agreement for Administration, Maintenance, and Repair of Village Highway System, with the Village of Palmyra.

Second: Brad Cook      Vote: 3 Ayes. Carried

**3. Approve: Contract with William Unterborn as Webmaster:** Doug DeRue made the motion to approve the Supervisor to sign the contract with William Unterborn to continue services as webmaster thru December 31, 2021.

Second: Todd Pipitone      Vote: 3 Ayes. Carried

**4. Accept: Resignation of Donald Seier from the Palmyra Zoning Board:**

Todd Pipitone made the motion to accept the resignation letter from Donald Seier from the Palmyra Zoning Board of appeals as of May 1, 2021.

Second: Doug DeRue      Vote: 3 Ayes. Carried

**5. Approve: Charles Hartman to fill Vacancy on Town Zoning Board of Appeals:**

Todd Pipitone made the motion to approve Charles Hartman to fill one of the vacancies on Town Zoning Board of Appeals, beginning May 1, 2021, and ending December 31, 2025. He is currently also serving on the Board of Assessment Review. This was cleared by legal counsel and is not a conflict of interest.

Second: Brad Cook      Vote: 3 Ayes. Carried

**6. Approve: Resolution #11-2021: Authorizing Cancellation of Outstanding Checks from Disbursement Account, as written below:**

Todd Pipitone made the motion to approve Resolution #11-2021: Authorizing the Cancellation of Outstanding Checks from Disbursement Account.

Second: Doug DeRue      Vote: 3 Ayes. Carried

**RESOLUTION AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS FROM THE DISBURSEMENT ACCOUNT**

**WHEREAS**, there exists outstanding checks in the disbursement account that are older than one year; and

**WHEREAS**, those checks need to be cancelled from the books and records of the Town of Palmyra;

**NOW, THEREFORE, BE IT RESOLVED**, that the following checks will have stop payments placed on them and the funds from said checks shall be realized as miscellaneous revenue:

<b><u>CHECK #</u></b>	<b><u>DATE:</u></b>	<b><u>AMOUNT:</u></b>
30018	May 2019	\$ 150.00
30167	July 2019	\$ 150.00
30179	August 2019	\$ 150.00
30464	December 2019	\$ 150.00

**By Order of the Town Board at a Meeting on April 22, 2021  
MEMBERS OF THE TOWN BOARD OF THE TOWN OF PALMYRA**



**7. Approve: Surplus for Town Auction:** Doug DeRue made the motion to approve one 2001 Sterling Tandem Axle Dump Truck, one 1987 Bomag 151AD Roller, one 2012 Ford F550 Truck, and one 1999 Mack Single-Axle Dump (to be sold to the Village), to be sold as surplus at the Town of Palmyra Municipal Auction on May 8, 2021.

Second: Brad Cook      Vote: 3 Ayes. Carried

**MOTION TO APPROVE CLAIMS AND EXPENDITURES:**

Todd Pipitone made the motion to approve claims and expenditures for the month of April 2021, Vouchers #348 thru #444, totaling \$32,191.52.

Second: Doug DeRue      Vote: 3 Ayes. Carried

**Supervisor Miller took a moment to thank those in attendance for coming to the meeting, and to thank the East Palmyra Fire Department for hosting us.**

**MOTION TO ADJOURN**

At 7:29 PM, Todd Pipitone made the motion to adjourn the meeting.

Second: Brad Cook      Vote: Ayes. Carried

Respectfully submitted,

Irene Unterborn  
Town Clerk

**REGULAR TOWN BOARD MEETING**  
**THURSDAY May 27, 2021**  
**7:00 PM – PALMYRA TOWN HALL**