

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
November 24, 2015**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday November 24, 2015, 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
- David Nussbaumer, Councilman
- Todd J. Pipitone, Councilman
- Michael Lambrix, Councilman

Motion was made by Todd Pipitone to approve the minutes of the Town Board meeting on October 22, 2015.

**MTN:
APPROVE
PREVIOUS
TOWN BOARD
MINUTES**

Second: Mike Lambrix Vote: 4 Ayes. Carried

Motion was made by Mike Lambrix to approve the minutes of the Town Board meeting on November 5, 2015.

Second: Todd Pipitone Vote: 4 Ayes. Carried

Also attending was: Marc Carrier, Frank Vascukynas, Richard Hagar, Matt Lamora, Palmyra Code Enforcement Officer Pat Sheridan, and Palmyra Highway Superintendent Mike Boesel.

ATTENDANCE

HEARING

HEARING

There was no official hearing this evening.

PUBLIC INPUT

**PUBLIC INPUT-
GARNSEY RD
LANDFILL**

Marc Carrier asked to speak reiterating points from a letter that he provided the board on October 21, 2015, in regards to the Garnsey Rd landfill. The letter is included in the minutes (**ATTACHMENT A**) and was signed by Marc Carrier, Frank VanCukynas, and Richard Hagar; all Garnsey Road residents.

Mr. Carrier questioned the latest survey of the landfill, asking about the “other two” landfills, why the assessment on that parcel rose from \$13,000.00 to \$16,000.00, if the public water had been tested, and numerous other points previously discussed at the past town board meetings. Discussion ensued, and Mr. Carrier asked what the town was going to do. Supervisor Miller stated that there was not much more to comment on as these topics had already been covered in the previous meetings. Mr. Miller invited Mr. Carrier to meet with him in his office so they could speak further on this matter.

REPORTS OF STANDING COMMITTEES

**REPORTS OF
STANDING
COMMITTEES**

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

The Supervisor stated that he had nothing to report at this time.

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

1. Town Clerk Office Report for November:

TOWN CLERK OFFICE REPORT TO THE BOARD
NOVEMBER 2015

**TOWN CLERK
REPORT**

In October, the Town Clerk’s office was focused once again on the end of school tax collection and hunting licenses!

**SCHOOL TAX
COLLECTION**

Second round DMP’s (doe permits) became available on Sunday, November 1st, so I was here at the town hall from 10 AM until 12:30 PM to accommodate our local hunters. As for school tax collection, we ended up collecting \$13,832,999.14 of the \$14,429,833.59 total warrant, plus \$572, 236.20 in in-lieu of payments, earning the Town of Palmyra \$17,813.90 in payment from the Pal-Mac CSD for our role in tax collection. This amount earned for collection is up a little more that \$1000.00 from last year.

**NEW HIRE- JULIE
HARTMAN**

Celeste has continued working with the Archive and Record Management projects and has continued to work with our new employee, Julie, in regards to records management. Julie Hartman began working in the Town Clerk’s office on November 9th, and will be taking over as Part-time Records Management Coordinator/Office Clerk when Celeste retires in December.

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 October we sold 47 licenses totaling \$397.00, misc sales, including marriages licenses, hunting/fishing, vital record requests, Bingo proceeds, etc – added an additional \$3019.20. Total check disbursements for the month of October totaled \$3416.20.

November is the perfect month for us to catch up on numerous projects that may get set aside during our busier months!

Irene Unterborn
Palmyra Town Clerk

Mr. Lambrix invited the board to read Town Clerk's report at their leisure, and commented that he has known the new hire, Julie Hartman for many years.

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

1. **Highway Department report for November:** Highway Superintendent Mike Boesel submitted the following report from October 22, 2015, through November 24th, 2015:

**HIGHWAY
REPORT**

HIGHWAY SUPERINTENDENT REPORT
FOR TOWN BOARD MEETING
NOVEMBER 24, 2015

Since the 10/22/15 meeting we have completed the following work:

- **Plowing/Sanding** – This November has been one of the warmest on record. To date this winter season we have made a total of 2 trips out of the barn (both trips were yesterday). A comparison to this point of the past 3 winter seasons is below:
 - November 2014 - 5 trips.
 - November 2013 - 6 trips.
 - November 2012 - 1 trips.
- **Roadwork/Brush Mowing** – Summer roadwork is complete. We intend to continue brush mowing roadsides as time and weather permit throughout the Fall/Winter months.
- **Winter Preparations** – The barns have been full of sand and salt since the end of August. All trucks are completely outfitted for the winter season. We already started installing snow fence last week and hope to continue after Thanksgiving, weather-permitting.
- **Water Tower Driveway - North Creek Road** - On 10/27/15 we assisted the WCWSA in improvements to the driveway from N.Creek Road up to

the Tower. We hauled millings material provided by WC Hwy while the Water Authority personnel graded the driveway. Then we rolled it.

- **Town Hall HC Ramp** - On 11/5/15 we poured the concrete for the Town Hall Handicap Ramp project. The handrail is being fabricated by Iron Art Welding and is expected to be installed in early December.
- **Training** - On 11/6/15, John O'Toole from WC Emergency Management Office came to our highway facility to give us a refresher course on Hazardous Materials and Hazard Awareness
- **Canal Bridges** - On 11/13/15, the NYS DOT downgraded the Port Gibson Road canal bridge from Unrestricted to 22 Tons due to issues with the floor beams. According to DOT they have no upcoming plans for improvements to the bridge at this time.
- **Highway Infrastructure Funding** - On Monday 11/16 and Wednesday 11/18 a group of WC Highway Superintendents took part in the Rebuild NY Now press conferences that are being held across NYS in an effort to increase funding for infrastructure in NY. This has been a joint advocacy effort. Also, our NYS Association of Town Hwy Supts is requesting Towns adopt the Infrastructure Resolution we have on the agenda tonight. Additionally, the AoT Resolutions Committee that I am on is also issuing similar Resolutions at their February Annual Meeting in NYC.

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

HWY REPORT CONT-

CONVENIENCE RAMP

Councilman Nussbaumer commented on the fantastic job that was done thus far on the convenience ramp in front of the town hall. Mr. Boesel added that this is a work in progress, and there was much more work than anticipated to be done on gutters, electric, plumbing etc. Mr. Pipitone asked Matt Lamora (who headed the project on behalf of the highway department) what he recommended be done to prevent these drainage issues. Mr. Lamora recommended that there be maintenance cleaning twice a year or perhaps leaf covers on the gutters.

GUTTER CLEANING RECOMMENDATION

DOWNGRADE OF PORT GIBSON BRIDGE

Mr. Boesel also commented that they may have to adjust their snowplow route due to the downgrading of the Port Gibson Bridge as their trucks weigh approx. 30-45 ton when filled with salt. Fire trucks and school buses are fine as they are less than 22 tons. All town bridges were unrestricted until 2011, when at that time they seemed to change up and down from that point. Further discussion ensued. Supervisor Miller stated that he would be concerned if we could only cross at one bridge in Palmyra and one bridge in Arcadia.

Mr. Boesel also said that the NYS Highway Superintendents, all 932 of them, were trying to get board approval of the resolution that will be voted on this evening, Resolution #11-2015 Parity of Local Transportation Funding. This resolution calls on our representatives to more equally distribute essential funding thru the state to help finance local infrastructure needs over the next 20 years.

**HWY CONT-
PARITY OF LOCAL
TRANSPORTATION
FUNDING**

Councilman Pipitone asked to revisit the topic of the landfill that was surveyed on Garnsey Rd. What could potentially be causing the pools that the public had mentioned earlier? Mr. Boesel said that he honestly has never seen anything other than the organic matter (sheen from rotted leaves etc) that the DEC has deemed normal. The highway department has addressed the driveway entrance, all culverts are clear, and they will continue to address the matter of overgrown brush.

**GARNSEY RD
LANDFILL- WHAT
MAY BE CAUSING
POOLING?**

Finally, Mr. Lamora, wanted to point out that he had lots of help from other members of the highway department with the work in front of the town hall. Mr. Lamora will also be working on replacing, and finding what will work best in our poorly lit parking lot and end of building.

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

1. Town Hall Items: Councilman Pipitone stated that he was pleased with the progress of the convenience ramp in front of the town hall, and was glad to see the railings for it will be here in early December.

**TOWN HALL
CONVENIENCE
RAMP**

2. Wayne ARC Cleaning of Town Hall: Mr. Pipitone said he was very happy with the cleaning that has been done at the facilities by the Wayne ARC, and pointed out that the board will be approving a renewal of their contract for 2016, which includes a 3% increase that covers the cost of wage increase for their workers.

**WAYNE ARC
CLEANING**

3. Early Help Seeking 2-1-1 Life Line Summit held at Town of Palmyra: A certificate of appreciation was presented to the Town of Palmyra for allowing the “2-1-1” Summit to be held here on November 19, 2015. Mr. Pipitone thanked Mr. Miller for his help, and the Town Clerk for attending the summit. By calling 2-1-1, anyone in the community can access information about food, clothing, and mental health...whatever their needs may be. It is always a free call.

**2-1-1 LIFELINE
SUMMIT**

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

- 1. **Assessor’s Office Report for November:** There was no report at this time.
- 2. **Code Enforcement/Zoning Office Report- November:** Code Enforcement Officer Pat Sheridan submitted a report to the Board Members including a list of building permits and certificates of compliance for Jan. 1 through November 24, 2015. A letter from Martin Bechenbach was also included expressing his interest in providing service on the Town Planning Board.
- 3. **Zoning Board Meeting in November:** There were no minutes of the Zoning Board or Public hearings, in November.
- 4. **Planning Board Meeting in November 16, 2015:** The minutes for the November 16th Planning Board Meeting were shared with the board.

MARTIN
BECHENBACH
INTERESTED IN
SERVING ON BOARD

PLANNING BOARD
MINUTES
PROVIDED

Motion to Enter into Executive Session: At 7:38 PM, Councilman Welch made the motion to enter into Executive session to discuss current litigation.

MTN: ENTER INTO
EXECUTIVE SESSION

Second: Todd Pipitone Vote: 4 Ayes. Carried

Motion to Exit into Executive Session: At 7:52 PM, Councilman Nussbaumer made the motion to return from Executive Session.

MTN: EXIT EXEC.
SESSION

Second: Todd Pipitone Vote: 4 Ayes. Carried

INFORMATIONAL ITEMS

- 1. **Port Gibson Bridge:** The bridge has been down posted to 22 tons, as discussed earlier this evening..
- 2. **Public Notice – Agricultural District Number 1:** A public notice will be posted until January 31, 2016 – *Agricultural District Number 1, Review and Modification* – No action is needed if you are currently in, and would like to remain in, the Agricultural District 1. If you would like to have land added or deleted, then you must fill out the Add-Drop Form and return it by January 31, 2016.
- 3. **EMS Advisory Board:** Mr. Catalano, our representative to the EMS Advisory Board, was unable to attend this evening.

PORT GIBSON
BRIDGE

AG. DISTRICT 1 -
PUBLIC NOTICE

AGENDA ITEMS

1. **Approve: Agreement: Highway Snow & Ice – 2016 with Wayne County:** Highway Superintendent Mike Boesel commented that labor rates, salt, and fuel are all variables in the cost, so the rate is slightly up in this contract. Jim Welch made the motion to approve the 2016 Highway Snow & Ice Agreement with Wayne County. SNOW AND ICE
REMOVAL
- Second: Dave Nussbaumer Vote: 4 Ayes. Carried
2. **Approve: James Hodock for Town Planning Board:** Dave Nussbaumer made the motion to approve the re-appointment of James Hodock to the Town Planning Board for the term January 1, 2016 thru December 31, 2020. RE-APPOINT JAMES
HODOCK PLANNING
BOARD
- Second: Todd Pipitone Vote: 4 Ayes. Carried
3. **Approve: Doug DeRue for Zoning Board of Appeals:** Dave Nussbaumer made the motion to approve the re-appointment of Doug DeRue to the Town Zoning Board of Appeals for the term January 1, 2016 thru December 31, 2020. RE-APPOINT DOUG
DERUE FOR ZONING
BD OF APPEALS
- Second: Mike Lambrix Vote: 4 Ayes. Carried
4. **Approve: New Hire for Town Clerk Office:** Mike Lambrix made the motion to approve Julie Hartman for hire in the Town Clerk Office, at an introductory rate of \$12.00 per hour for 6 months beginning November 9th, 2015, and then \$12.25 per hour for the remainder of 2016, as approved in the 2016 Town of Palmyra Budget. APPROVE: NEW
HIRE JULIE
HARTMAN FOR
CLERK OFFICE
- Second: Jim Welch Vote: 4 Ayes. Carried
5. **Approve: Agreement: Town of Palmyra, Village of Palmyra, and Community Center for 2016:** Todd Pipitone asked the agreement include the amendment *Fall 2015*, in section two. Mike Lambrix made the motion to approve the agreement between the Town of Palmyra, Village of Palmyra and Community Center for 2016. APPROVE:
AGREEMENT W
COMMUNITY
CENTER
- Second: Dave Nussbaumer Vote: 4 Ayes. Carried
6. **Approve: Contract: Wayne ARC Cleaning Contract – Town Hall:** Todd Pipitone made the motion to approve the Wayne ARC Contract for Cleaning of the Town Hall in 2016, not to exceed \$475.70 per month. APPROVE: WAYNE
ARC CLEANING
CONTRACT FOR
TOWN HALL
- Second: Dave Nussbaumer Vote: 4 Ayes. Carried

APPROVE: WAYNE
ARC CLEANING
CONTRACT FOR
HWY FACILITY

7. **Approve: Contract: Wayne ARC Cleaning Contract – Highway Facilities:** Todd Pipitone made the motion to approve the Wayne ARC Contract for Cleaning of the Highway Facilities in 2016, not to exceed \$125.15 per month.

Second: Dave Nussbaumer Vote: 4 Ayes. Carried

APPROVE: MARTIN
BECHENBACH FOR
TOWN PLANNING
BRD.

8. **Approve: Martin Bechenbach for Town Planning Board:** Dave Nussbaumer made the motion to approve the appointment of Martin Bechenbach to the Town Planning Board, for the remainder of a vacant term, January 1, 2016 thru December 31, 2016.

Second: Todd Pipitone Vote: 4 Ayes. Carried

APPROVE: RES# 11-
2015
PARITY OF LOCAL
TRANSPORTATION
FUNDING

9. **Approve: Resolution #11-2015 – Parity of Local Transportation Funding:** Todd Pipitone asked the agreement include the amendment *Town of*, in the final paragraph, and asked if this resolution had the backing of Senator Nazzolio. Mr. Boesel was unsure, but would find out. Todd Pipitone made the motion to approve Resolution #11-2015 – Parity of Local Transportation Funding.

Second: Jim Welch Vote: 4 Ayes. Carried

RESOLUTION #11-2015
PARITY OF LOCAL TRANSPORTATION FUNDING

WHEREAS, a reliable transportation infrastructure is vital for the safety of New York’s travelling public and its economy; and

WHEREAS, 85 percent of New York’s roads and bridges are maintained by local governments; and

WHEREAS, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

WHEREAS, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

WHEREAS, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

WHEREAS, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

WHEREAS, funding for our local system has been far short of what is needed and we’ve fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

WHEREAS, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

WHEREAS, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

WHEREAS, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

WHEREAS, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

WHEREAS, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT;

NOW THEREFORE BE IT RESOLVED, that the Town of Palmyra, NY, calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget; and

BE IT FURTHER RESOLVED, that the Town of Palmyra, NY, calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and

BE IT FURTHER RESOLVED, that the Town of Palmyra, NY calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

**BY ORDER OF THE TOWN BOARD
NOVEMBER 24, 2015**

10. Approve: Bids for Demolition and Disposal of House on Tellier Rd: Dave Nussbaumer made the motion to approve accepting bids for the demolition and disposal of house located at 4775 Tellier Rd.

**APPROVE: BIDS FOR
DEMOLITION AND
DISPOSAL OF 4775
TELLIER RD.**

Second: Jim Welch

Vote: 4 Ayes. Carried

Motion to Approve Claims and Expenditures: Dave Nussbaumer made the motion to approve claims and expenditures for the November 2015 abstract, voucher #4696 thru #4828, totaling \$208,802.42.

**MTN: APPROVE
CLAIMS AND
EXPENDITURES FOR
NOVEMBER**

Second: Todd Pipitone

Vote: 4 Ayes. Carried

**MTN: ADJOURN
MEETING**

Adjourn Meeting: At 8:15 PM, Dave Nussbaumer made the motion to adjourn the meeting.

Second: Todd Pipitone

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

ATTACHMENT A

**LETTER FROM MARC CARRIER, FRANK
VANCUKYNAS, AND RICK HAGAR**

**NEXT REGULAR MEETING: TUESDAY DECEMBER 22, 2015,
7:00 PALMYRA TOWN HALL**