

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
November 20, 2018**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Tuesday, November 20, 2018, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

Supervisor Miller led those present in the Pledge of Allegiance to the Flag.

Upon roll call, the following Board members were present:

Supervisor Kenneth Miller
James Welch, Deputy Supervisor
Michael Lambrix, Councilman
Bradley Cook, Councilman

Councilman Todd Pipitone was absent.

Motion was made by Mike Lambrix to approve the minutes of the regular Town Board meeting which took place on October 25th, 2018.

Second: Jim Welch Vote: 3 Ayes. Carried

Motion was made by Jim Welch to approve the minutes of the Hearing and Special Town Board meeting which took place on November 6th, 2018.

Second: Jim Welch Vote: 3 Ayes. Carried

ATTENDANCE

Also attending was: Highway Superintendent Mike Boesel, Robert Kelsch (Sun& Record), and Neil & Joan Gates (Assessor).

HEARING

There was no official hearing this evening.

COMMUNICATIONS / PUBLIC INPUT

None for this evening.

Reports of Standing Committees

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

1. Purchase of land from Palmyra Baptist Bible Church: The purchase of land from Palmyra Baptist Bible Church was tabled at that the last meeting, and Supervisor Miller asked that it be tabled once again as we are still awaiting additional information about the survey, as well as written material from the church.

2. "Enhanced Cancer Disability Benefits as required by Section 205-CC": "The Enhanced Cancer Disability Benefits as required by Section 205-CC" Agreement with the Village is on the agenda for approval as written below. The village board agreed to both the earlier fire contract and this one at their November 19th meeting.

**AGREEMENT BETWEEN THE TOWN AND VILLAGE OF PALMYRA
"Enhanced Cancer Disability Benefits as required by Section 205-CC"**

THIS AGREEMENT made this ___ day of _ 2018 by and between the Town Board of the Town of Palmyra, Wayne County, New York, hereinafter designated as party of the first part, and the Village of Palmyra, Wayne County, New York, hereinafter designated as party of the second part.

WITNESSETHWHEREAS, there has been established in the said Town of Palmyra a Fire Protection District know as Palmyra Fire Protection District, embracing all of the territory in said Town except:

1. That area included within the corporate limits of the Village of Palmyra.
2. That portion embraced in East Palmyra Fire Protection District.
3. That portion embraced in Port Gibson Fire Protection District.; and

WHEREAS, the Village of Palmyra has furnished fire protection to the Palmyra Fire Protection District pursuant to an Agreement entered into on October 16, 2016 for fire protection of the Palmyra Fire Protection District until December 31, 2018; and

WHEREAS, the Town of Palmyra and the Village of Palmyra have negotiated a contract for fire protection of the Palmyra Fire Protection District commencing on January 1, 2019 for 3 years till December 31, 2021; and

WHEREAS, the Town of Palmyra has adopted a budget based on the negotiated terms for the contract commencing January 1, 2019 and is unable to amend its budget; and

WHEREAS, the parties to that contract have been notified effective January 1, 2019; parties furnishing fire protection staffed with the eligible volunteer fire fighters must furnish enhanced cancer disability benefits to the eligible volunteer fire fighters pursuant to Section 205-CC of the General Municipal Law of the State of New York; and

WHEREAS, this obligation represented an unforeseen cost; and

WHEREAS, the parties to this agreement have agreed to share the cost of paying the premiums necessary to furnish the benefits required by Section 205-CC on a basis of the percentage of calls to the Palmyra Fire Protection District, as to the total number of calls in a recent year by the Village of Palmyra Fire Department. That percentage as agreed is forty percent (40%) of the calls are made to the Palmyra Fire Protection District; and

WHEREAS, the Village of Palmyra is furnishing eligible volunteer fire fighters as defined in Section 205-CC; and

WHEREAS, the total cost of the premiums are unknown at this time.

NOW THEREFORE, it is agreed as follows:

1. Party of the second part will furnish eligible volunteer fire fighters as defined in Section 205-CC of the General Municipal Law of the State of New York and will procure necessary insurance in a manner that complies with the General Municipal Law of the State of New York .
2. Party of the first part agrees that it shall reimburse the party of the second part for each year that the Village provides fire protection to the Palmyra Fire Protection District with eligible volunteer fire fighters as defined in Section 205-CC a sum equal to forty percent of the premium paid for insurance in compliance with Section 205-CC of the General Municipal Law for that year.
3. The payment by the party of the first part will be made within 45 days of receipt of a copy of the invoice for the premium with proof of payment by the Village.
4. The term of this agreement shall run concurrently with the term of the contract for Fire Protection for the Palmyra Fire Protection District. If in the event that the Fire Protection Contract is terminated, during the term of this agreement. The obligation under the agreement will terminate at the same time.

IN WITNESS WHEREOF, the parties have duly executed and delivered the Agreement the day and year first above written.

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

1. Town Clerk Report for November:

TOWN CLERK OFFICE REPORT TO THE BOARD
NOVEMBER 2018

As usual in October, the Town Clerk's office was focused on the end of school tax collection, ("settling up" with Pal- Mac CSD, Wayne County and Ontario County), and issuing hunting licenses!

Second round DMP's (doe permits) became available on Thursday, November 1st, so Julie and I were here at the town hall at 7 AM to accommodate our local hunters. As for school tax collection, we ended up collecting \$15,189,445.10 of

the \$15,898,332.46 total warrant, plus \$288,937.07 of the in-lieu of payments, earning the Town of Palmyra \$18,598.08 in payment from the Pal-Mac CSD for our role in tax collection.

The elections that were held here in November saw a record number of voter turnout for a non-presidential year election.

Through dog licensing in October we sold 48 licenses totaling \$387.00, misc sales, including marriages licenses, hunting/fishing, vital record requests, Bingo proceeds, Zoning etc – added an additional \$6,408.85. Total check disbursements for the month of October totaled \$6,795.85.

Happy Thanksgiving!

Irene Unterborn
Palmyra Town Clerk
November 19, 2018

2. Town Hall: Yellow stripes were painted on front entrance steps....thank you highway department, and the renewal of cleaning contract is up for approval this evening (no changes).

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

1. Highway Department report for November:

**Highway Superintendent Report
For Town Board Meeting
11/20/18**

Since the 10/25/18 meeting we have completed the following work:

- **Plowing/Sanding** –To date this winter season we have made a total of 6 trips out of the barn.
A comparison to this point of the past 5 winter seasons is below:
 - November 2017 - 3 trips.
 - November 2016 - 7 trips.
 - November 2015 - 2 trips.
 - November 2014 - 5 trips.
 - November 2013 - 6 trips.

Other miscellaneous items include:

- **Training** - On 10/25, the Hwy Crew attended a training event held at Town Hall by NYMIR. 3 sessions were offered: Safety During Snow&Ice Removal Operations, Driving without Distractions, and Reasonable Suspicion Substance Training. On 11/1, from 9am-10am, we had a refresher training session with our Dig Safely NY representative at our shop.

- **Winter Preparations** – In the past month, all trucks were completely outfitted for the winter season. We still hope to install some snow fence in the coming weeks as this recent snow melts and weather permits.
- **Snow Storm** - The snow storm last Thursday/Friday 11/15-16, dropped 14.5” of snow in Palmyra, the most significant November storm in recent years, and closed many surrounding school districts. Our crews were on the road Thursday night until 9pm and back on the roads early Friday morning. Our sand mix and salt barns remain 2/3 and 1/2 full respectively. We had no significant issues.
- **Town Hall** – We recently removed the air conditioner units and painted yellow strips on the front steps.
- **Street Lights** – We recently surveyed the entire Town/Village street lights and submitted a list of lights to NYSEG on 10/31/18 that was currently not working, including 3 around the East Palmyra Fire Hall.
- **Bridges** –
 - Galloway Bridge - Earlier this summer, 6/27/18, the NYS DOT downgraded the Galloway Road canal bridge from 14 Tons to 5 Tons. This causes us difficulty in our plowing operation and limits us to only plowing/salting with our F250 Pickup! According to DOT they have upcoming plans for improvements to the bridge next year.
 - Rt. 21 Thruway Bridge – Yesterday, the Rt.21 Bridge over the NYS Thruway finally reopened.
- **Loader Purchase Approval** – With the recent passage of the 2019 Town Budget, I would like to request equipment purchase approval for a new 2019 John Deere 644K Wheel Loader, NTE \$228,860.14 per NYS OGS Contract #PC67075.

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

Mr. Boesel explained that there is already a challenge to plow and salt either side of the Galloway Bridge as the only truck allowed (because of weight limit) is the pick up truck. Discussion ensued, and Councilman Lambrix asked him to contact someone to see if there may be a solution.

2. Discontinuance of Palmer Rd.: The subject of the discontinuance of Palmer Rd. was tabled at the last meeting. There was a continuation of discussion which included the fact that the town would be losing \$1,870.00 annually in CHIPS funding. Councilman Cook felt that Dolomite would be gaining a great deal financially from the proposed agreement (plan to mine right through the area, as well as the value of the asphalt) and that Palmyra should benefit somehow in the transaction. He suggested perhaps a donation to the community center or another public service? This topic will remain tabled, and Mr. Cook offered to contact Dolomite to see if an agreement could be made.

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

Councilman Pipitone was not in attendance this evening, and there was no further report.

Government Operations: Assessor, Youth & Aging, Code Enforcement/Planning Board, and Justices - Councilman Michael Lambrix**1. Assessor's Office Report for November:**

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
NOVEMBER 14, 2018**

We are still taking in exemptions. We are also giving information out to home owners on how they need to apply for STAR. Some of our current STAR recipients are now applying for the Enhanced (Senior) STAR.

I am hoping to send out post cards to our current IVP (Income Verification Program for STAR) list explain how the State has changed the IVP program and the timing of everything. We will no longer receive a list from the state in November/December. As far as I have heard we will be able to check the list for those that are eligible in February. Anyone that is not eligible will be contacted by the State directly.

Also all the pictures have been taken in both the Town and the Village.

Also, we still need another member for our Board of Assessment Review. Someone needs to be appointed soon. It is not easy to find someone to serve on this board, so it is going to take time to find someone who is willing to do the job. The search needs to start now. We have 4 members now and with this being an update year it will be busy! It would be best to have a full board. **

If you have any questions or concerns, I am in the office most of the time.

2. Code Enforcement/Zoning Office Report- November: Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that included a list of building permits and certificates of compliance for October 23, 2018 thru November 16, 2018. Mr. Lambrix invited all to read it at their leisure.

3. Minutes from Zoning Board Meeting for November: None.

4. Minutes from Planning Board Meeting on November 12th, 2018:

Minutes from the November 12th, 2018 Planning Board meeting were shared with the board.

5. Re-appointments for Planning and Zoning are on Agenda: The re-appointment of David Pinkney for the Palmyra Planning Board, and re-appointment of Timothy Wizeman for the Palmyra Zoning Board of Appeals are on agenda for approval this evening.

****Since the Assessor handed in her report, we have found someone to serve on the Board of Assessment Review. Kathryn Woodlock is on the agenda for approval this evening!**

Informational Items

1. Cost of Water WCWSA Western Wayne Service Area: A notice was received from the Wayne County Water and Sewer Authority, and the proposed cost of water WCWSA Western Wayne Service area will increase from \$4.25 per thousand gallons purchased to \$4.50. The basic service charge will increase from \$22.50 to \$25.00 per quarter.

2. Hill Cumorah Pageant to end in 2020: The Town Clerk received an official press release from the Hill Cumorah Pageant Public Affairs Director, as written below:

Hill Cumorah Pageant to End in 2020

Palmyra, NY (October 27, 2018) –The famed Hill Cumorah Pageant will cease production after its 2020 season.

The Church of Jesus Christ of Latter-day Saints announced Saturday the end or modification of several pageants produced by the Church, including its flagship pageant in Palmyra. Mindful of a growing, world-wide church, Church leadership made the decision after an extensive review of all pageants. Leaders said they took under consideration how to reduce the burden of church member time commitments, cost, security, impact to church sites and more in their decision.

According to the Church's official release, "The Church of Jesus Christ of Latter-day Saints is growing across the earth. As this occurs, local Church leaders and members are encouraged to focus on gospel learning in their homes and to participate in Sabbath worship and the Church's supporting programs for children, youth, individuals and families. The goal of every activity in the Church should be to increase faith in the Lord Jesus Christ and to share His gospel message throughout the world. Local celebrations of culture and history may be appropriate. Larger productions, such as pageants, are discouraged. As it relates

to existing pageants, conversations with local Church and community leaders are underway to appropriately end, modify or continue these productions.”

Pageant President Neil Pitts said the staff of the Hill Cumorah Pageant is supportive of the decision.

“We had a wonderful run,” Pitts said. “Our church has asked us to focus more on the family, and this is certainly in line with that desire. We have had a wonderful 81 years and will focus on making the next two years an amazing experience for our cast, crew and audience.”

Pitts said right now, the focus of pageant officials is to communicate with regional and community partners and the pageant staff most affected by the announcement.

“We are sensitive to the fact that this will affect our wonderful community partners,” Pitts said. “We have been blessed by exceptional relationships with our friends in Manchester and Palmyra. We thank those communities for their years of generous support, and we will continue to work with them on future endeavors.”

The Hill Cumorah Pageant is staged annually in Manchester, NY by The Church of Jesus Christ of Latter-day Saints. Its 81st season wrapped in July 2018 with around 25,000 people attending the pageant. The production started as a humble reenactment of the Book of Mormon and Bible by local missionaries on makeshift stages lit by car headlamps. It has grown to be the largest outdoor theatrical event in North America and is a Western New York tradition attended by more than visitors from around the world. An all-volunteer cast of about 750 and 150 staff and technical crew work to stage the production annually. Local service groups in the Palmyra and Manchester areas provide concessions during the pageant, and it serves as those groups’ largest fund-raiser.

The 2019 performance of the Hill Cumorah Pageant will be July 12-13 and 16-20.

Agenda Items

1. Approve: Member of Planning Board: Mike Lambrix made the motion to approve David Pinkney to continue serving on the Town of Palmyra Planning Board for a term beginning January 1, 2019 and ending December 31, 2023.

Second: Brad Cook

Vote: 3 Ayes. Carried

2. Approve: Member of Zoning Board of Appeals: Mike Lambrix made the motion to approve Timothy Wizeman to continue serving on the Town of Palmyra Zoning Board of Appeals for a term beginning January 1, 2019 and ending December 31, 2023.

Second: Jim Welch

Vote: 3 Ayes. Carried

3. Approve: Resolution #21-2018 Consent of Discontinuance for a part of Palmer Rd: Resolution #21-2018 Consent of Discontinuance for a part of Palmer Rd NYS Highway Law Article 8, Section 171 (2), after it is approved by the Town of Palmyra legal counsel.

THIS WILL REMAIN TABLED UNTIL THE DECEMBER 2018 MEETING.

4. Approve: Cleaning contract with Julie Hartman: Brad Cook made the motion to approve the Supervisor to sign the contract with Julie Hartman for Cleaning the Town Hall and Highway Facility, not to exceed \$150.00 per week, beginning January 1, 2019 and ending December 31, 2019. There is no change in cost or service from last year.

Second: Mike Lambrix

Vote: 3 Ayes. Carried

5. Approve: Agreement with Village, Town and Community Center for 2019: Brad Cook made the motion to approve the agreement between the Village of Palmyra, Palmyra Community Center, and Town of Palmyra for 2019, with payment to Village for this agreement not to exceed \$41,120.00.

Second: Mike Lambrix

Vote: 3 Ayes. Carried

6. Approve: Agreement between Village and Town of Palmyra with regards to the Enhanced Cancer Disability Benefits as required by Section 205-CC: Jim Welch made the motion to approve the agreement between the Village and Town of Palmyra with regards to the Enhanced Cancer Disability Benefits as required by Section 205-CC, as written above.

Mike Lambrix seconded, and a roll call vote was requested.

Councilman Welch	Aye
Councilman Lambrix	Aye
Councilman Cook	Nay
Supervisor Miller	Aye

Vote: 3 Ayes. Carried

7. Approve: Exchange of \$13,000.00 for 3.3 acres of Land behind the Palmyra Town Hall: Approve the exchange of \$13,000.00 for approximately 3.3 acres of land from the Palmyra Bible Baptist Church, located east and behind the Town Hall. The town would agree to pay any legal fees, survey, and court costs, and will only be acted upon if approved by both parties.

THIS WILL REMAIN TABLED UNTIL THE DECEMBER 2018 MEETING.

8. Approve: Ron Hickman to Serve on Fire Advisory Board: Brad Cook made the motion to approve Ron Hickman to continue serving on the Wayne County Fire Advisory Board for a term beginning January 1, 2019 and ending December 31, 2020.

Second: Mike Lambrix

Vote: 3 Ayes. Carried

9. Approve: Kathryn Woodlock to Serve on the Board of Assessment Review: Mike Lambrix made the motion to approve Kathryn Woodlock to serve on the Board of Assessment Review for a term beginning January 1, 2019 and ending September 30, 2023. She will be attending the training classes as soon as they are available.

Second: Jim Welch

Vote: 3 Ayes. Carried

10. Approve: Highway purchase of 2019 John Deere Loader: Jim Welch made the motion to approve the highway department to purchase a new, 2019 John Deere, 644K Wheel Loader, per NYS OGS Contract #PC67075, not to exceed \$228,860.14. There was some discussion before the vote. Mr. Welch wanted to be sure that there was a 5 year full machine warranty, Mr. Lambrix wanted to make sure it was at least the same size as the previous truck, and Mr. Cook asked the Highway Superintendent to inquire about an extended warranty. When all points were discussed, there was a second.

Second: Brad Cook

Vote: 3 Ayes. Carried

Motion to approve claims and expenditures: Mike Lambrix made the motion to approve claims and expenditures for the month of November 2018, Vouchers #1146 thru #1252, totaling \$143,600.89.

Second: Jim Welch

Vote: 3 Ayes. Carried

Adjourn Meeting: At 7:30 PM, Jim Welch made the motion to adjourn the meeting.

Second: Brad Cook

Vote: 3 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

NEXT REGULAR MEETING: THURSDAY December 27, 2018
7:00 PM – PALMYRA TOWN HALL