

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
September 22, 2016**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday September 22, 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

Upon roll call, the following Board members were present:

ROLL CALL

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

Motion was made by Mike Lambrix to approve the minutes of the Town Board meeting on August 25, 2016.

MTN: APPROVE PREVIOUS TOWN BOARD MINUTES

Second: Jim Welch Vote: 3 Ayes. Carried

Councilman Pipitone abstained as he was absent from that meeting.

Motion was made by Mike Lambrix to approve the minutes of the Town Board Workshop that was held at the highway facility on September 13, 2016.

MTN: APPROVE TOWN WORK SHOP MINUTES

Second: Jim Welch Vote: 3 Ayes. Carried

Councilman Pipitone abstained as he was absent from that meeting.

Also attending was: Marc Carrier, CEO Pat Sheridan, and EMS Representative Mike Catalano.

ATTENDANCE

HEARING

There was no official hearing this evening.

PUBLIC INPUT

There was no public input this evening.

REPORTS OF STANDING COMMITTEES**Supervision: Animal Control, Human Resources, Historian, and Finance -
Supervisor Ken Miller**

1. **Audit of Town Court** –The town received a request from the NYS Unified Court System asking for verification of Audit of Courts. This audit was completed on February 23, 2016, and a resolution will be presented later in the evening for approval, and then sent to the state.
2. **Complete Tentative Budget**- The complete tentative budget for 2017 was presented to the board, and will be on the agenda later this evening for approval. Once approved, this will become the preliminary budget. Discussion ensued, and Councilman Pipitone asked that the record show that we are, once again, well below the tax cap, and that we will not need to be requesting a credit from the state.
3. **Purchase of New Phone for Supervisor** – Supervisor Miller purchased a new Samsung Galaxy Note 5 phone for \$249.99 on August 29, 2016. Mr. Miller explained that the purchase was made before approval to save \$50.00. Approval for this purchase will come later this evening.
4. **Tobacco Free Policy**- Mr. Miller presented the board with resolution resolving to prohibit the use of any type of tobacco products in any of the town buildings, property or equipment. Discussion ensued including signage, notification to employees as well as visitors, who will be monitoring etc. If it is approved, the Town Clerk agreed to have it posted on the website, and the Supervisor will include it in his quarterly article in the paper. This Resolution #13-2016: Tobacco –Free Policy will be agenda item number two this evening.

5. **Wayne ARC Cleaning Services**- Don Lewis from Wayne ARC was in attendance to answer any questions regarding their cleaning service, as we are close to contract renewal time. There were many concerns voiced in regards to such matters as doors being left unlocked, toilet paper not being refilled, garbage not being emptied, and cleaning of certain area not being done as it should be. Mr. Lewis said that he will notify the lead supervisor of these issues, and also offered the board that regardless whom their supervisor might be, he will personally attend and follow up each cleaning day.

Mr. Miller said that he would contact Mr. Lewis in one week so that they could once again “do a walk through” of the town hall building. Councilman Lambrix added that though he has the utmost respect for Wayne ARC, we must see a turn around quickly if we are to continue to contract with them. Councilman Welch asked if we had an “opt out” clause in the contract. Yes, with 30 days notice.

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

1. Town Clerk Report for September: Councilman Cook shared the following town clerk’s office report and building calendar with the board:

TOWN CLERK OFFICE REPORT TO THE BOARD
September 2016

September is as usual; very busy with hunting licenses and school taxes! So far we have collected \$4,104,367.87 (1579 properties paid so far) of the \$14,875,883.24 total warrant. We anticipate almost *twice that* before the end of next week as we will receive the larger number of payments from the larger mortgage brokers. Once again, Heidi, Julie and Joan have done a fantastic job keeping up with sending out the tax receipts after I have entered the payments.

Security glass for the Town Clerk counter is being delivered today; with help from the guys from the highway department....Thank you!! It will be installed on October 4th and 5th. Bees still appear to be making a home on the east wall of the kitchen, and painting of the Town Hall cupola should begin any day now.

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 August, we sold 95 licenses totaling \$839.00, misc sales, EZ Passes marriage licenses, hunting/fishing, vital record requests, zoning etc- added an additional \$9006.13. Total check disbursements for the month of July were \$9845.13.

Councilman Lambrix asked who would be installing the security glass in the town clerks office. Code Enforcement Officers, Pat Sheridan and Bob Grier offered to install the glass as soon as was agreeable with the town clerk. October 4th (and 5th if needed) was agreed upon!

2. Building Security: The town received a quote of \$16,000.00 for three bullet proof interior doors (that particular company does not deal with tempered glass), so Councilman Cook will be proposing approval of three, continuous hinge, aluminum and tempered glass internal doors for the town hall corridors, not to exceed \$9,850.00 later this evening. The Clerk will have the complete quote and packet available for the board to preview. Mr. Cook is hoping for installation in mid November of 2016.

3. New Proposal for Cleaning of Town Hall: Palmyra Town Employee, Julie Hartman, provided the board with a detailed proposal with regards to the cleaning of the town hall at the August 2016 meeting, which was asked to be revisited at this meeting. After some discussion, Brad Cook made the motion to table taking a closer look at the proposal at an upcoming workshop.

Second: Mike Lambrix Vote: 4 Ayes. Carried

Deputy Town Clerk, Heidi Jarvis also included a letter with concerns regarding the current cleaning service we are receiving with Wayne ARC.

4. Painting of Cupola: Sandmans should be beginning painting of pillars and cupola within the next week.

5. Grounds/Maintenance: Councilman Cook spoke with Tim Vienna regarding replacement of the south gutter with a proper, six inch continuous gutter, and should be completed before the end of the month. With regards to the bees that had not been eradicated yet, the town clerk offered to contact the two pest control companies that were recommended by a member of tonight's "audience".

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

1. Highway Department report for September: Highway Superintendent Mike Boesel submitted the following report from August 26, 2016 through September 22, 2016:

Highway Superintendent Report For Town Board Meeting September 22, 2016

Since the 08/25/16 meeting we have completed the following work:

- Chipseal - Walker Road and Hogback Hill Road
- Inter-municipal Assistance
 - 8/31/16 2 Macedon/3 Walworth trucks assist paving Dar Lind Lane in Village
 - 9/06/16 - 9/07/16 2 Palmyra trucks to assist Macedon Hwy with hauling gravel & asphalt
 - 9/08/16 1 Palmyra operator w/Bobcat exc to assist County Hwy with on Hogback Brdg.

- 9/08/16 1 Palmyra operator w/Bobcat/mill to assist Macedon Hwy with milling/paving

Other miscellaneous items include:

- **Walworth Road Canal Bridge & Hogback Hill Road Bridge**– On 9/2/16, the Walworth Road canal bridge re-opened and is again unrestricted. The Wayne County Hwy Department has been working on the Hogback Hill Road Bridge over Ganargua Creek since June but this bridge may be re-open by the end of this week.
- **Roadwork** – On August 26th, Suit-Kote assisted us with chipsealing Walker Road. On Sept 7th, Midland assisted us with chipsealing Hogback Hill Road from P.Gibson Rd to Whitbeck Rd. This completes our major roadwork for the season. We still have some finishing touches to these projects and some drainage/prep work on others.
- **Striping** - Most of our roads have been striped now with the exception of the recent work above.
- **Fall Highway Conference** - Last week, Sept 13-16th, I attended our 87th Annual Fall Highway Conference and Education Symposium held in Lake Placid. As you know, since 2007 I have been one of 20 members of the NYS Association of Town Superintendents of Highway representing all 932 Town Highway Supts across NYS. Last week I was nominated and moved up to President of the Association. Check out our website at <https://www.nystownhwys.org/>. I am honored to represent Palmyra and all of Wayne County as the President of the Association for this one-year term.
- **Winter Preparations** – Our salt barn and salt/sand barns are essentially full. We intend to haul some sand soon as time permits. A few of the trucks were recently serviced. Thru the month of October we will begin to review our snow plows/wings, sanders and tire situations.
- **Highway Facility BCS Update** - While I was at Conference last week, a TB Workshop was held at the highway department on Tuesday 9/13/16 with Labella Associates staff to review their completed BCS. Also, since this meeting, repairs to the Red Block Barn have gotten underway by Andy Jacobs. I understand a proposal from Labella for additional engineering assistance is being considered.
- **Petroleum Bulk Storage Tanks - Underground Storage Tanks** – On 8/9/16, Jason Bliss, Jake Hilton and I attended a free seminar regarding PBS Tanks, specifically UST's. On 9/7/16, Sherrie Lynch from Sun Environmental visited our highway facility to review all our above-ground and below-ground PBST's. Her 9/16/16 2-page letter/report is attached for your review. In summary we currently do not need to register with the NYS DEC because the combination of all our PBST's is under 1100 gallons in total. She does have some suggestions however in her report.

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

Congratulations to Highway Superintendent Boesel for being chosen to be the 2017 President of the NYS Association of Town of Town Superintendents of Highways representing all 932 Town Highway Superintendents across NYS!

2. LaBella – Highway Facility: All repairs to the red barn should be wrapped up today and Marion Door will be coming to re-hang the door in the following week. LaBella came to meet with Mr. Boesel regarding the Mr. Welch asked of Mr. Boesel was comfortable with the look of the

flat plans of footage that MRB provided in 2015. He answered that he was pleased with way they looked, but that they did not include actual square foot dimensions. The Town clerk added that the measurements were included in the minutes from 2015 when MRB met with the board. Mr. Boesel was anticipating a meeting with LaBella so they can better determine the space needs of the highway department. There was a difference in dimensions between the LaBella and MRB plans, but that may have been the difference between including, and not including, the office space. Supervisor Miller assigned a team to continue determining the needs of the highway department. The clerk will send out an invitation on behalf of Councilman Welch as leader of task group, which will also include Mike Boesel, Brad Cook, and Bob Grier, to take place on Wednesday September 28th, at 8:30AM at the Town Hall, to further this conversation.

Mr. Boesel also noted a review of the petroleum vault storage tanks at the highway facility. At this time we do not meet the new threshold, so we are "in good shape". This is another point that will need to be addressed with any new plans for a new facility.

3. Workman's Compensation:

Enter into Executive Session: At 7:53 PM, Councilman Welch made the motion to enter into executive session to discuss matters of personnel and contractual agreements.

Second: Mike Lambrix Vote: 4 Ayes. Carried

Exit Executive Session: At 8:39 PM Councilman Pipitone made the motion to exit the executive session.

Second: Brad Cook Vote: 4 Ayes. Carried

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

1. The 3 Fire Protection Contracts: Councilman Pipitone is currently working with the Village, East Palmyra, and Port Gibson Fire departments on the upcoming fire protection contracts that will be approved, if completed and have been posted, at the next board meeting.

2. Master Plan: Mr. Pipitone had nothing to report at this time.

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

1. Assessor's Office Report for September :

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
SEPTEMBER 16, 2016**

When the school bills were mailed, we also mailed the STAR renewal forms to all seniors in Palmyra who have been receiving the STAR since before 2015. They are coming back in daily. We are also explaining almost daily to someone whom has purchased a home since March 2015, which they need to contact the State in order to get the STAR monies through a check instead of the credit that others are receiving on their school bill. We send a flier that the State prepared out when each sale is received by my office every month, but people are not reading this information, therefore they are not going to get any STAR credit from the State. People either do not read the flier or they only read that they are getting a check and do not read that they have to sign up at the State in order to get that check. We are going to start highlighting the web site and telephone number to see if that gets their attention. We will also adjust the letter that we enclose with that flier to help get their attention to the fact that they need to do something else to receive these benefits of the STAR credit.

On August 22, 2016 I had a small claims hearing with hearing officer Constance Hart and Angelo Mascioli about the assessment of his property located at 2430 Cambier Road in Palmyra. The grievance board had already reduced the assessment some, but he was still looking for a lower assessment than they gave him. The hearing officer did not reduce the assessment any more than the BAR had already done. Attached is a copy of the decision for you to read.

Tracy Vanderwall had me walk through her latest purchase. I will review what I saw and do what I need to do.

As always, if you have any questions or concerns I am usually in my office.

Mr. Lambrix invited the board to read Assessor's report at their leisure, and also pointed out the SCAR decision for 2430 Cambier Rd. remained the same.

2. Code Enforcement/Zoning Office Report- September: Code Enforcement Officer Pat Sheridan submitted a report to the Board Members including a list of building permits and certificates of compliance for August 23, 2016 through September 20, 2016. Mr. Sheridan commented that the escrow fees are working to close out open permits at a good rate per month. He also reported to the board that the burnt trailer home had been removed from Canalside Drive.

3. Minutes from Zoning Board Meeting for September: There was no meeting minutes included at this time.

4. Minutes from Planning Board Meeting for September: There was no meeting minutes included at this time.

5. Letters to Planning and Zoning Boards Re: Paid Excused Absence: As instructed at last board meeting, letters were sent from Supervisor Miller to the members of Planning and Zoning Boards regarding one paid, excused, absence from a scheduled meeting. **ATTACHMENT A**

Informational Items

1. Mike Catalano EMS Report: Mike Catalano had to leave to attend another meeting, and asked the clerk (while the board was in executive session) to make the town board members aware that the new 911 center is now open. He did not have a report at this time as they are still “working out the bugs”. Mr. Catalano did recommend that the Supervisor meet with Fingerlakes Ambulance before the end of the year, and asked that Supervisor Miller call him next week, when he returns from vacation.

2. Telecommunication Tower in Macedon: Notice of Application for Telecommunication Tower in the Town of Macedon was shared with the board. No action is needed, this was informational only.

3. Fall 2017 Temporary Bridge closing on Route 21 at Thruway: The NYS Thruway authority sent a tentative plan for temporary bridge closing on Route 21 South in fall of 2017. The complete tentative plan and map will be kept in the clerk’s office for review.

4. Fall 2016 Regional Local Government Workshop: The information regarding the annual Fall 2016 Regional Local Government was given to the board. This will be held in Batavia NY on November 16, 2016. Councilman Lambrix asked if Supervisor Miller would be in attendance, but after reviewing the topics, Mr. Miller said that he would not, as he has attending previous meeting covering the same material.

Agenda Items

1. Approve: Member of Board of Assessment Review: Mike Lambrix made the motion to approve Richard Green to continue serving on Board of Assessment Review for a term beginning October 1, 2016 and ending September 30, 2021. Todd Pipitone clarified that Mr. Green has already been a dedicated member of the board for many years.

Second: Jim Welch

Vote: 4 Ayes. Carried

2. Approve: Resolution #13-2016 Tobacco Free Policy: Todd Pipitone made the motion to approve Resolution #13-2016 - Tobacco Free Policy, with an effective date of August 1st, 2016. Mr. Welch stated that he voted against it last time as he did not want to see someone lose their job over a cigarette, and Mr. Lambrix agreed with that. Mr. Miller pointed out that they would not lose their job until a third documented offense. Discussion ensued and included topics and questions such as; would it be possible to offer an incentive for non-smokers, does this also apply to elected officials, what recourse could there be for offenders, who would be in charge of monitoring such things as the highway auction, should they stand off property if they are smoking? Mr. Miller voiced a concern and wondered if we as a town would be under any penalty for not following NYS suggested standard. It was agreed that Todd Pipitone would ask Petra Anderson these questions. Mr. Pipitone repeated his motion. This was seconded by Brad Cook, and a roll call vote was requested.

Councilman Michael Lambrix	Nay
Councilman James Welch	Nay
Councilman Todd Pipitone	Nay
Councilman Brad Cook	Nay

Vote: 4 Nays. Not carried.

3. Approve: Purchase of Phone for Supervisor: Mike Lambrix made the motion to approve purchase of new cell phone for Supervisor made August 31, 2016, for \$249.99.

Second: Jim Welch Vote: 4 Ayes. Carried

4. Approve: Check that was written to Total Security Solutions: Brad Cook made the motion to approve request that was made from the town board members on August 15th, for book keeper to write check for second ½ of security glass project (\$3121.00) for Town Clerk Office and sent to Total Security Solutions. This amount was not a pre-pay.

Second: Mike Lambrix Vote: 4 Ayes. Carried

5. Approve: Tentative budget for 2017: Supervisor Miller made the motion to approve the tentative budget for 2017, to include a 2% increase to the Port Gibson Fire Department, and a \$3,500.00 per year payment for the building reserve for the Palmyra Fire Department. This will become the Preliminary Budget if approved, and as per Organizational Meeting, a hearing will be on November 10th, followed by adoption of the Final 2017

Budget that evening. Second by Todd Pipitone. A roll call vote was requested.

Councilman Michael Lambrix	Aye
Councilman James Welch	Aye
Councilman Todd Pipitone	Aye
Councilman Brad Cook	Aye

Vote: 4 Ayes. Carried

6. Approve: Resolution #14-2016-2016 Audit of Town Court: Mike Lambrix made the motion to approve Resolution #14-2016: 2016 Audit of Town Justice Court for the period of 2/20/2016 thru 2/23/2016.

Second: Jim Welch Vote: 3 Ayes. Carried

Councilman Pipitone abstained as he conducted the audit.

7. Approve : Purchase of Corridor Doors: Brad Cook made the motion to approve the purchase of three internal, corridor doors for the Town Hall, made of safety glass, fully installed, not to exceed \$9,850.00.

Second: Todd Pipitone Vote: 4 Ayes. Carried

Motion to approve claims and expenditures Mike Lambrix made the motion to approve claims and expenditures for September 2016 including vouchers # 5854 thru #5956, totaling \$215,706.19.

Second: Todd Pipitone Vote: 4 Ayes. Carried

Motion to Adjourn: At 9:04 PM, Mike Lambrix made the motion to adjourn the meeting.

Second: Todd Pipitone Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Palmyra Town Clerk

ATTACHMENT A **LETTER TO PLANING/ZONING BRD. Re: EXCUSED ABSENCE**

**NEXT REGULAR BOARD MEETING: THURSDAY OCTOBER 27TH, 2016- 7PM
AT THE EAST PALMYRA FIRE DEPARTMENT.**