

**REGULAR MEETING OF THE TOWN BOARD
EAST PALMYRA FIRE HALL
APRIL 23, 2015**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, April 23, 2015, at the East Palmyra Fire Hall, 2145 Whitbeck Road, 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
- David Nussbaumer, Councilman
- James Welch, Deputy Supervisor
- Michael Lambrix, Councilman
- Todd Pipitone, Councilman

Motion was made by Todd Pipitone to approve the minutes of the Town Board meeting on March 26, 2015.

**MTN:
APPROVE PREVIOUS TOWN BOARD MINUTES**

Second: Dave Nussbaumer Vote: 3 Ayes. Carried

Councilman Lambrix abstained as he was absent from the February meeting.

ATTENDANCE

Also attending was: Richard Hagar, Marc Carrier, Frank Vascukynas, John Rush, Mike Woodard, Code Enforcement Officer Robert Grier, Jamie Kincaid, Kathryn Miller and Highway Superintendent Mike Boesel.

HEARING

HEARING

There was no official hearing this evening.

COMMUNICATIONS

COMMUNICATIONS

Letters from Marc Carrier, Frank Vascukynas, and Richard Hagar were received and put in the board members mailboxes on March 16, 2015, however, discussion was tabled until this meeting so that the board

members would have ample time to review the materials.. The Supervisor asked that this topic continue to be tabled. Mr. Miller explained that both he and Highway Superintendent Mike Boesel , along with two DEC officers, walked the entire area of the landfill on both sides of the road and was still awaiting their report.

PUBLIC INPUT

PUBLIC INPUT – MARC CARRIER

Marc Carrier contacted the Town Clerk earlier in the week and asked to be included on the agenda. At this time, Supervisor Miller asked if Mr. Carrier was present to speak, but he was not. Mr. Miller will ask for any public input again later in the meeting as a courtesy to Mr. Carrier, this one time.

REPORTS OF STANDING COMMITTEES

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

SICK DAY POLICY – TABLED

1. Sick Day Policy: This topic was originally tabled at March meeting, and Supervisor Miller asked that it be kept tabled until the May meeting of the Town Board.

INTERMUNICIPAL AGREEMENT W/ VILLAGE – TABLED

2. Inter-municipal Agreement for Administration, Maintenance and Repair of Village Highway System: Before the March 2015 meeting, the Village Board has approached the Town of Palmyra, and asked for a change in the way that they fund repairs of their vehicles. Currently the agreement allows \$15,000.00 annually for repairs, and with the purchase of new vehicles (expecting repairs to be less), they are investigating what is the most economical way of doing this. As reported in last month's minutes, the Village would like to change Section 1 (c) to read:

"The Town Highway Superintendent shall be responsible for overseeing that the Village vehicles and equipment remain in good operational order. All invoices for repairs and maintenance shall be submitted to the Village Clerk Treasurer for payment." (The rest of the paragraph to be stricken) Additionally, Section 4 (a) shall read "The Village hereby agrees to pay the Town for services provided for under section 1 (a) & (b) of this agreement the sum of \$24,000 for each year this contract is in effect, in equal monthly installments of \$2000." (The rest of the paragraph to be stricken)

Mr. Miller asked that this topic remain tabled until Mr. Boesel had adequate time to finish his cost analysis.

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

1. Town Clerk Office Report for April:

**TOWN CLERK
REPORT FOR
APRIL-
CONVENIENCE
RAMP**

**TOWN CLERK OFFICE REPORT TO THE BOARD
APRIL 2015**

The issuing of Appearance Tickets for owners of unlicensed dogs has so far worked out well between the Town and the Town Court. It has resulted in the clearing up some dogs or owners that no longer reside in Palmyra or confusion as to whether or not dogs need to be licensed....which they all do by law, by 4 months.

Through dog licensing in March, we sold 177 licenses totaling \$1399.00, misc sales, EZ Passes marriage licenses, hunting/fishing, vital record requests, etc- added an additional \$3848.18. Total check disbursements for the month of February were \$5247.18.

We in the Town Clerk’s office are pleased that the board is seriously considering our idea of a convenience ramp at the front entrance of the Town Hall. It is something that we talked about in the fall of 2014, but after the harsh winter and some cracks and heaving appearing in the sidewalk, it looks as if this spring will be perfect timing for such a project!

Celeste has continued organizing, and also boxing up for shredding, some of the documents that are no longer necessary in the archive rooms. We will be transporting quite a few boxes next week to Wayne ARC for shredding. As always, we are carefully following the MU-1 Retention Schedule as directed by NYS.

The Town Clerk wished to remind the board that she and the deputy Town Clerk would be attending the NYS Town Clerk Association conference on Monday, Tuesday, and Wednesday of the coming week.

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

Councilman Welch asked that the board await this report until the Highway Superintendent was in attendance later in the meeting.

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

1. Town Hall Items: Councilman Pipitone met with bookkeeper Petra Anderson to discuss various items that need additional attention around the town hall. A list was compiled, and Mr. Pipitone requested that it be made part of the minutes. The list is as follows:

**TOWN HALL
MAINTENANCE
ITEMS**

Town Hall items budgeted for 2015:**PRIORITIZED
MAINTENANCE
LIST FOR TOWN
HALL**

- ✓ Seal parking lot - \$5,000
- ✓ Stripe parking lot - \$200
- ✓ Removal of trees in front of building (use village labor credit town has)

Town Hall items needed to be done for 2015 in order of importance:

1. Roof repairs (still have leaks that need to be investigated and repaired)
2. Gutters removed on the back of the building and a French drain installed (this is to prevent the major problem we had with ice-damming but we still have a problem with ice-damming in the front of the building)
3. Replacement of furnace on the south-end of the building
4. Gutters need to be cleaned
5. Front entrance convenience ramp and automatic doors for both sets of doors and handicap parking signs for the front parking lot
6. South entrance ramp (needs to be sealed and we need to stop using "rock salt" because it is pitting the concrete)

Town Hall items to be budgeted for 2016:

- ✓ Paint the cupola
- ✓ new phone system (our phones & system were installed in 2001 and companies do not service these phones any longer)
- ✓ Front & south entry floors need to be replaced (remove carpet and install flooring)
- ✓ Replace plastic floor molding where needed in the building
- ✓ Repair damage done to walls throughout the building
- ✓ Gym floor sealed

Supervisor Miller added that he had also had a conversation with Mr. Boesel regarding the installation of a convenience ramp in the front of the Town Hall, as well as the removal of the overgrown Cedar trees in the front of the building. Mr. Boesel said that the ramp would be a great spring task for the highway department before road work begins, and that the tree removal would probably be done by Gary Hopkins and his crew. The Town Clerk offered to submit the information and idea she discussed with former CEO Dan Wooden.

Code Enforcement Officer Bob Grier added that the board should consider completing two paved entrances/exits to the town hall, providing easier access in case of emergency. After a short discussion, the board agreed that this should be further investigated.

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

**ASSESSOR'S
REPORT FOR
APRIL**

1. Assessor's Office Report for April:

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
APRIL 2015**

New this year is that the State is now providing a value for Verizon utilities that are in Roll Section 6, telecommunications equipment. (See below). The values are less than what was on the 2014 – 2015 assessment roll. We will be getting these numbers every year from now on the same as we do for roll section 5, (special franchise) and the railroad properties.

All assessment changes and exemptions have been processed for the 2015 – 2016 Assessment Roll. The Tentative Roll has been submitted to the Real Property Tax Office for printing. We will have it in the office by May 1, 2015 so it can be filed with the Town Clerk in accordance with the RPTL.

Notices will be sent out to property owners whose assessments have changed. They then have the option of submitting an application to the grievance board of assessment review if they feel that the new assessment is not correct. Any property owner can apply to the grievance board in any year, even if the assessment has not changed, that is everyone right in any given year.

As always, if there are any questions or concerns, I am in the office daily.

MASS TELECOMMUNICATION PROPERTIES - ROLL SECTION 6

<u>VERIZON</u>	<u>2014-2015</u>	<u>2015-2016</u>
63601-99-631900.1881	\$ 23,848	\$ 21,966
63689-99-631900.1881	\$ 197,428	\$ 155,458
63689-99-631900.1882	\$ 49,150	\$ 61,779
63689-99-631900.1883	\$ 29,545	\$ 20,648
	\$ 299,971	\$ 259,851
Difference		\$ (40,120)

**TELECOM.
PROPERTIES**

CEO REPORT FOR
APRIL

2. **Code Enforcement/Zoning Office Report- April:** Code Enforcement Officer Bob Grier submitted a report to the Board Members including a list of building permits and certificates of compliance for January 1, 2015 through April 23, 2015. Councilman Nussbaumer invited all to read it at their leisure.

MINUTES FROM
PLANNING BD
MEETING

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

PART-TIME CEO
HIRED

4. **Minutes from Planning Board Meeting April:** Minutes for the April 13, 2015 Planning Board meeting were included in the Board member packets.

5. **Position of Part-time CEO has been filled:** Mr. Grier took a moment to introduce the new part-time Code Enforcement Officer, Jamie Kincaid. Mr. Grier stated that Mr. Kincaid comes to our town offering a great deal of experience from two different municipalities.

INFORMATIONAL ITEMS

EMS ADVISORY
BOARD

1. **EMS Advisory Board:** There was nothing new to report at this time.

ANNUAL
FINANCIAL
REPORT

2. **2014 Annual Financial Report:** Bookkeeper Petra Anderson completed the Annual Financial Report for the Fiscal Year 2014 and presented it to the Town Clerk. The legal notice was then submitted and published in the *Times of Wayne County*, and the following legal notice was also printed, signed and posted on the Town Hall bulletin board:

LEGAL NOTICE

TOWN OF PALMYRA ANNUAL FINANCIAL REPORT

FISCAL YEAR 2014

NOTICE IS HEREBY GIVEN, that the 2014 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 2, 2015

WC SHERIFF-
OPERATION SAFE
STOP

3. **Wayne County Sheriff Press Release – Operation Safe Stop:** The WC Sheriff's Office made a push on April 16th to promote school bus safety through enforcement and education efforts. They included a reminder to please drive with caution!

SECURITY OFFICER
PROMOTED TO
SUPERVISOR

4. **Wayne County Sheriff Press Release – Court Security Officer was promoted to Supervisor:** Sheriff Barry Virts announced with "great

pleasure”, that Court Security Officer Dawn Piscioti was being promoted to Court Security Supervisor beginning on April, 13, 2015.

5. Change to Handicapped Parking and Permits: The DMV sent notice that the word “handicapped” must be removed from any new signs or signs being replaced, or other communication where it currently appears, and will now be referred to as “permits for the disabled”. A universal symbol of access will also now be used depicting a figure of a person leaning forward in a wheelchair “portraying a sense of movement”.

**CHANGE FROM
“HANDICAPPED”
TO “DISABLED”
FOR PARKING
PERMITS, ETC.**

6. Invitation to attend a Pal-Mac School Board Meeting: An invitation from the Pal-Mac Superintendent was received by the board for a meeting on June 2nd, at 7 PM. The main topic for discussion will be the benefits or disadvantages of the consolidation of facilities.

**PAL-MAC
SCHOOL BOARD
MEETING**

7. An Invitation to attend a Meeting with the NYS Public Service Commission: The NYS Public Service Commission is seeking public comment on a filing made by RG&E regarding the request to approve a Reliability Support Services Agreement between RG&E and the Ginna Nuclear Power Plant. The dates of these meetings are May 6th in Webster, and May 7th in Rochester.

**INVITATION TO
MEET W/ PUBLIC
SERVICE
COMMISSION
RE: GINNA**

Supervisor Miller commented that at the county level, the PILOT program was extended so that Ginna has an additional 3 years to operate, with a 4th year as an option. He also commented that nearly 700 jobs in our county would be lost if the power plant were to close!

PUBLIC INPUT

Mr. Carrier was now present, and he and Frank Vascukynas were given the opportunity to address the board. Mr. Carrier supplied the board with well testing results that MRB had suggested be done in 1988-1993 after the closing of the landfill. (This will now be **ATTACHMENT A**) He also produced the tests that the DEC ordered in 1995. (This will now be **ATTACHMENT B**)

**PUBLIC INPUT –
MARC CARRIER -
WELL TESTING
RESULTS FOR
GARNSEY RD**

**ATTACHMENT A -
MRB ORDERED
TESTS 1988-1993**

Mr. Carrier presented some of the results verbally, and stated that he will be contacting the board formally to look at specific areas such as the conductivity of the water, which speaks directly to the cleanliness of the water. Mr. Lambrix asked where these reports were obtained, and he stated that he received these directly from the DEC.

**ATTACHMENT B -
DEC ORDERED
TEST 1995**

Mr. Vascukynas presented the board with an informational article regarding landfill gas and their possible hazards. (This will now be **ATTACHMENT C**) He also asked that he be able to read a statement that he prepared as a taxpayer and property owner of the Town of Palmyra.

**ATTACHMENT C -
ARTICLE RE:
LANDFILL GAS**

**ATTACHMENT D –
LETTER OF
CONCERN FROM F.
VASCUKYNAS**

The letter voiced Mr. Vascukynas' concerns of living near the closed landfill, and asks the officials to address this issue as a matter of importance. His statement, in its entirety, will now be **ATTACHMENT D**.

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

Highway Superintendent Mike Boesel now was present and was asked to share his report to the board.

**HWY REPORT FOR
APRIL**

1. **Highway Department report for April:** Highway Superintendent Mike Boesel submitted the following report from March 26, 2015 through April 23, 2015.

Highway Superintendent Report
ForTown Board Meeting
4/23/15

Since the 3/26/15 Town Board meeting we have completed the following work:

PLOWING TRIPS

- **Plowing/Sanding** –To date this winter season we have made a total of 116 trips out of the barn. A comparison to this point of the past 5 winter seasons is below:
 - April 2014 - 131 trips.
 - April 2013 - 78 trips.
 - April 2012 - 43 trips.
 - April 2011 - 122 trips.
 - April 2010 – 96 trips.
- **Salt Orders** – I have not ordered any salt since the last meeting. We are still at approximately 2228 tons of our 2800 ton allotment, which approximately 79% of our requested allotment. We still have approximately \$37.5K to use for the remainder of the year which would allow for ~ 800 additional tons of salt to be ordered which would bring us to 108% of our allotment.
- **Training/Personnel** – 4/21/15 - The entire crew attended PESH refresher training on Lock-out-Tag-out, Personal protective equipment (PPE) and electrical safety.
- **CHIPs Funding/Advocacy Day** – As you know from my March Hwy Report, over 500 highway superintendents and vendors from across NYS attended our annual Advocacy Day on March 3-4th in Albany. Last year, we were successful in getting \$40M extra. This year we got \$50M extra. The Town of Palmyra will be getting \$17,172 in Extreme Winter Recover-Chips this year, and \$117,640 for regular CHIPs.
- **Inspections:**
 - Fire Extinguishers – all Hwy Dept fire extinguishers were inspected on 4/14/15 by P.A.T.I.
 - Vehicle Inspections – all Hwy Dept vehicles have received annual inspections thru April 2015.

**CHIPS FUNDING /
ADVOCACY DAY**

- Lift Inspection – our shop hoist was inspected on 4/21/15 by Filtrec. Report coming soon.
 - Chainfall Inspection – our annual chainfall inspections is scheduled for 4/27/15 with NY Crane.
 - Lifting Chains - all our lifting chains were inspected by Cook Iron on 4/22/15.
 - Oil/Water Separator - last pumped out on 4/23/14 by Noco will be scheduled again soon.
- **New Equipment Arrivals** - Our 2015 Bobcat S650 skid steer loader arrived on 4/21/15. Thank you.
 - **Snowfence, Sweeping & Roadside Cleanup** – We removed all our snow fence, are complete with road sweeping and we continue to work on roadside cleanup and plow damage. This work is weather dependent but we hope to complete this work in the next couple weeks.
 - **Palmyra Municipal Auction** – The date is coming quick: Saturday May 9, 2015. We have been preparing the grounds for our event. I have a surplus list for approval on tonight's agenda and listed below.
 - **Surplus List** - 2014 Bobcat S650, 2006 Ford F250, Brushwolf mowing attachment, slip-line pipe

**MUNICIPAL
AUCTION**

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

Mr. Miller asked what evidence there was after the Lifting Chains were inspected. Hwy. Superintendent Boesel explained that Cook Iron does the inspection (local resident Dennis Blankenberg was inspector) and supplies a report along with tagging the chains. Councilman Nussbaumer asked when brush pick up ends: Mr. Boesel said that it does not officially start until May, but that because of some nice days recently, he did have some crews start brush pick up.

Councilman Pipitone asked Mr. Boesel when he thought they would begin work on the convenience ramp in the front of the Town Hall. He stated once again, that this would not be a difficult or costly project, and that he would rather see it done sooner rather than later before regular road work starts.

Finally, Mr.Boesel reminded the board that the Town Auction was on May 9th, and asked that the link be added to the website now that the listing was available.

AGENDA ITEMS

1. **Approve: Councilman to Attend Annual Regional Local Government Workshop**: Todd Pipitone made the motion to allow the Councilman Nussbaumer to attend the Annual Regional Local Government Workshop not to exceed \$75.00 plus mileage.

**MTN: APPROVE
COUNCILMAN TO
ATTEND LOCAL
WORKSHOP**

Second: Mike Lambrix

Vote: 3 Ayes. Carried

MTN: APPROVE
RESOLUTION
#6-2015:
EMS WEEK
PROCLAMATION

2. **Resolution #6-2015: EMS Week Proclamation:** Todd Pipitone made the motion approve the resolution proclaiming May 17th – 23rd as Emergency Medical Services Week.

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

The following Proclamation was read aloud by the Town Clerk:

RESOLUTION #6-2015

EMERGENCY MEDICAL SERVICES WEEK PROCLAMATION

Emergency Medical Services Week -- May 17th – 23RD 2015

EMS Week Proclamation

To designate the week of May 17-23, 2015 as Emergency Medical Services Week

WHEREAS, emergency medical services (EMS) is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those experience sudden illness or injury; and

WHEREAS, the emergency medical system consists of emergency physicians, emergency nurses emergency medical technicians, paramedics, firefighters first responders, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer , engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

NOW, THEREFORE BE IT RESOLVED, that The Palmyra Town Board does hereby proclaim the week of May 17th – 23RD, 2015, as:

EMERGENCY MEDICAL SERVICES WEEK

With the theme “EMS; Dedicated For Life,” we encourage the community to observe this week with appropriate programs, ceremonies and activities.

By ORDER OF THE TOWN BOARD

Dated: April 23, 2015

3. Approve: Supervisor to Sign Mowing Contract with Wayne County: Mike Lambrix made the motion to allow the Supervisor to sign the mowing contract with Wayne County after reviewing it with the Highway Superintendent.

**MTN: APPROVE
SUPERVISOR TO
SIGN MOWING
CONTRACT W/
COUNTY**

Second: Dave Nussbaumer Vote: 4 Ayes. Carried

4. Approve: Appointment of Deputy Code Enforcement Officer: Mike Lambrix made the motion to appoint Jamie Kincaid to the position of Deputy Code Enforcement Officer beginning on April 30, 2015 at an annual salary of \$15,926.00.

**MTN: APPROVE
APPOINTMENT OF
DEPUTY CEO**

Second: Dave Nussbaumer Vote: 4 Ayes. Carried

5. Approve: Appointment of Code Enforcement Officer: Dave Nussbaumer made the motion to appoint Robert Grier to the position of Interim Code Enforcement Officer beginning on April 20, 2015 at the 2015 budgeted salary for the Code Enforcement Officer.

**MTN: APPROVE
APPOINTMENT OF
CEO**

Second: Mike Lambrix Vote: 4 Ayes. Carried

Claims and Expenditures: Dave Nussbaumer made the motion to approve claims and expenditures in the April 2015 abstract, voucher #3949 thru #4062, totaling \$137,391.61.

**MTN: APPROVE
CLAIMS AND
EXPENDITURES**

Second: Mike Lambrix Vote: 4 Ayes. Carried

Adjourn Meeting: At 7:25 PM, Todd Pipitone made the motion to adjourn the meeting.

**MTN: ADJOURN
MEETING**

Second: Dave Nussbaumer Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

- ATTACHMENT A:** MRB RECOMMENDED WELL TESTING
RESULTS FROM 1988-1993 –
CLOSED LANDFILL ON GARNSEY RD.
- ATTACHMENT B:** DEC ORDERED WELL TESTING 1995
- ATTACHMENT C:** ARTICLE RE: LANDFILL GASES AND THE
POSSIBLE HAZARDS
- ATTACHMENT D:** LETTER OF CONCERN FROM FRANK
VASCUKYNAS RE: LIVING NEAR
THE CLOSED LANDFILL ON GARNSEY RD

NEXT REGULAR MEETING
Thursday May 28th, 2015, 7:00 PM,
PALMYRA TOWN HALL