

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
November 24th, 2020**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, November 24, 2020, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

The Town Board meeting was open to public and held in accordance to the rules for small meetings, with proper social distancing and masks were worn by all in attendance when necessary.

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

Upon roll call, the following Board members were present:

Kenneth Miller, Supervisor
James Welch, Deputy Supervisor
Brad Cook, Councilman
Todd Pipitone, Councilman

A motion was made by Todd Pipitone to approve the minutes of the regular Town Board meetings that took place on October 22, 2020 and on November 5, 2020

Second: Brad Cook

Vote: 3 Ayes. Carried

ATTENDANCE

Also attending was: Highway Superintendent Mike Boesel, Doug DeRue, Casey Carpenter, Glenn Thornton, Jeff Cook, and James Schuler.

COMMUNICATIONS RECEIVED

None for this evening

PUBLIC INPUT *

**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.*

Jeff Cook (Marquart Village Mobile Home Park) and Glenn Thorton, PE (Thorton Engineering) addressed the board with regards to a potential sanitary sewer pump station, force main pipe, and gravity sewer system from Marquart to the Town of Palmyra (Division St). Mr. Thorton explained that there are currently 99 lots (approximately 85 occupied), with 29 individual septic systems (many old and failing) on the 22 acre lot. He further explained that they would also like to purchase the adjacent land to expand by another 100 lots. Further discussion ensued, and at 7:12 PM, Supervisor Miller asked for a quick adjournment with Mr. Cook and CEO Sheridan. When they returned at 7:30 PM, it was reminded that this project would need to go to not only the Palmyra Planning and Zoning boards, but Wayne County planning as well.

Supervisor Miller explained that though there was no cost to the town to set this project up, but once the system was up and running, the infrastructure would be dedicated back and owned by the town. He finally stated that the town would probably ask Dave Doyle (engineer) to represent the town on this project.

(The map for the proposed project is **ATTACHMENT A**)

GUEST SPEAKERS

Mike Catalano, EMS Advisory Board, was unable to attend this evening.

REPORTS OF STANDING COMMITTEES

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

1. Wayne County Fire Advisory Board: Ron Hickman accepted another 2 year term representing Palmyra on the Wayne County Fire advisory board.

2. Auditing of Justice Records and Docket: We received a correspondence from Justice Terry Rodman advising us that the records and docket for the Palmyra Town Court for calendar year 2020 are available for examination, pursuant to Uniform Justice Court section 2019-a.

3. Davis-Ulmer Fire Protection Report: Davis-Ulmer came and performed the fire alarm inspection on October 26, 2020, and provided a testing result. The only comment was that the fire alarm panel is no longer manufactured, and the town should make inquiries to replace it.

4. NYMIR Receipt of Referral of Summons: NYMIR sent a receipt of referral of a summons and complaint that we once again received in October. NYMIR will be defending this action and has assigned the defense to Webster Szanyi, LLP who will interpose an answer on behalf of the town.

5. Old Landfill Update: There were no further updates other than the site plan was still being reviewed by the DEC.

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 2020

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

Second round DMP's (doe permits) became available on Sunday, November 1st, so I was here at the town hall at 6:30 AM to accommodate our local hunters. (We had 45 that morning!) As for school tax collection, we ended up collecting \$16,295,749.00 of the \$17,036,862.00 total warrant, plus \$320,270.00 in in-lieu of payments, earning the Town of Palmyra \$19,498.00 in payment from the Pal-Mac CSD for our role in tax collection. This amount earned for collection is up more than \$502.00 from last year.

Tax collection ended on Monday November 2, just in time for the busiest presidential election we have ever seen at the town hall on Tuesday November 3, 2020. As a historic note, we still are waiting results (there is a question of fraudulent votes in the country) to know who our newly elected president will be. We are also still in the midst of the Covid-19 Pandemic, and are still on adjusted hours to serve those both face to face, and those who prefer appointments.

Through dog licensing in October we sold 56 licenses totaling \$489.00, misc sales, including marriages licenses, EZPass (27 of them in October), hunting/fishing, vital record requests, Bingo, Zoning etc – added an additional \$4,542.05. Total check disbursements for the month of October totaled \$5,031.05. As a note, beginning in December there are no longer toll booths on the NYS Thruway.

Betlem Heating and Cooling performed maintenance on all of our furnace units; all was found to be in good condition, except for a gas safety valve that needed to be replaced. I previously met with the Commercial Manager to also arrange a new unit to be installed in Archive Room A on December 4th, 2020

Irene Unterborn
Palmyra Town Clerk
November 19, 2020

2. Building Update: Councilman Cook reported that the building cameras have been ordered and will be installed mid December. Supervisor Miller reminded the councilman that these need to be vouchered by the December 2020 board meeting.

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

1. Highway Department report for November:

HIGHWAY SUPERINTENDENT REPORT FOR TOWN BOARD MEETING 11/24/2020

Since the 10/22/20 Town Board meeting we have completed the following work:

- **Plowing/Sanding** –To date this winter season we have made a total of 3 trips out of the barn.
A comparison to this point of the past 5 winter seasons is below:
 - November 2019 - 3 trips.
 - November 2018 - 5 trips.
 - November 2017 - 3 trips.
 - November 2016 - 7 trips.
 - November 2015 - 2 trips.

- **Inter-municipal Assistance**
 - 11/4/20 1 Palmyra truck assist WC Hwy with paving at WC Hwy Facility.
 - 11/4/20 1 Palmyra bobcat/mill/operator assist Williamson Hwy with paving.
 - 11/5/20 Palmyra Loader/Widener/operators assist Williamson Hwy with shoulder work.

- **Winter Preparations** – In the past month, all trucks were completely outfitted for the winter season, we hauled sand and filled our sand/salt barns and salt barn. Next week we will start installing some of our snow fence in critical locations.

- **Wind Storm/Tree Work** – On Sunday and Monday November 15-16 we had a high wind event that brought down trees and limbs around the Town requiring some OT for tree cleanup work. Main trouble locations were on Goldsmith, Schilling, Harris, Walker, S.Creek (temporarily closed), and Floodman. Last week we also performed tree work on Meadow Drive, Betty/Bonnie, Quaker, S.Townline, Garnsey and Eckert Roads. We are also working on an additional list of troubling tree locations and hope to get to these as weather permits.

- **Bridge Updates -**
 - Port Gibson Bridge – I was hoping to have more information on their work progress for this meeting but have not heard back from DOT yet. I will try to bring this info tonight.

- **Truck Purchase Approval** – With the recent passage of the 2021 Town Budget, I am requesting equipment purchase approval for the new 2022 Mack 10-wheel dump truck, NTE \$216,858.60, piggybacking off the Onondaga County Truck Contract. We budgeted \$225K in the 2021 Budget. A Resolution has been provided for TB consideration tonight.

- **County Mowing Contract** – I would like to get some direction from the Town Board regarding how to interpret the language in the current Contract. I will bring copies for discussion tonight.

- **EWR Reimbursement** – NYS DOT mistakenly electronically transferred the Village's EWR payment to the Town. We need to reimburse this back to the DOT so they can transfer it properly to the Village.

- **Personnel**– On 11/17/2020, local Village resident Mike Reed was hired by the Village of Palmyra for the winter seasonal plowing position. The position runs thru the winter season until the end of March.

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

Mr. Boesel commented that he was hoping that we would not have to cover other highway departments this winter due to COVID, and discussed the fact the NYS DOT transferred money into the town account that belonged to the village. The general consensus of the board was to have the book keeper cut a check to them for the \$8,000.00 now so that they would not hold our \$20,000.00 in CHIPS funding owed to the town "hostage".

Mr. Boesel also stated that there was question as to the wording on the 2020 mowing contract with the county, and exactly how much they were to be billed. He will have a conversation with Kevin Rooney at the county and get clarification.

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

There was nothing to report at this time.

**Government Operations: Assessor, Youth & Aging, Code Enforcement/Planning Board, and Justices
- Councilman Todd Pipitone**

1. Assessor's Office Report for November:

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
NOVEMBER 19, 2020**

We are still sending out 1st year enhanced (senior) STAR exemption forms as requested by those that currently have the basic STAR exemption. As always any new owners are sent the information on how to apply for STAR Credit.

The New York State Assessors Association sent a letter to the Governor requesting him to sign an executive order that would suspend, for one year, the requirement of renewing the exemptions of low income Seniors & the low income disable. This is to help protect them and limit their exposures due to Covid-19.

I sent an email to Senator Pam Helming and to Assemblyman Brian Manktelow asking for their support in this matter. I have spoke with Senator Helming's office and she has also sent a request to the governor.

I am hoping that this will be signed as an executive order. If signed it may be done as local option and I am asking that you, as the Town Board support this.

If an executive order is signed suspending the need for renewal for these exemptions I would send letters out notifying those tax payers on my lists of the change for this year.

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

2. CEO Report for 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 20, 2020 thru November 19, 2020. Councilman Pipitone invited the board members to read at their leisure.

3. Minutes from Zoning Board Meeting for November 12, 2020: The minutes from the November 12, 2020 Zoning Board meeting were shared with the board and are available by request.

4. Minutes from Planning Board Meeting for November 9, 2020: The minutes from the November 9, 2020 Planning Board meeting were shared with the board and are available by request.

INFORMATION

1. DWI Holiday Crackdown: Wayne County Sheriff Barry Virts announced a DWI Holiday Crackdown for November 25- November 29, 2020 as well as December 17 – January 1, 2021. Research findings demonstrate that highly visible publicized efforts further reduce the occurrence of DWI. As a side note, the Supervisor informed is that the Sheriff will not be enforcing the 10 people or less executive order from the Governor. After brief discussion, Mr. Miller also informed us that there was an additional Covid related death today in Wayne County.

2. WCWSA Proposed Water Rates for 2021: The cost of water within our service area will increase from \$4.60 to \$4.70 per thousand gallons purchased, and the basic service charge will remain at \$25.00 per quarter. For the typical residential customer using 50,000 gallons per year this will be an increase of about \$5.00 per year.

3. Moving Vietnam Wall: James R. Hickey Post #120 would like to support the Wayne County bicentennial celebration by supporting a display of the “Moving Vietnam Wall” at the Wayne County Fairgrounds here in Palmyra in 2023. This information was shared with the Town Historian.

4. Letter from Pam Helming supporting Wayne County Assessors Association: The Town Clerk received a copy of the letter from Senator Pam (dated November 18, 2020) written to Governor Cuomo backing the request of the Assessors Association to suspend the renewal requirement for seniors and persons with disabilities for one year, so that they would not have to file the annual renewal application with their local assessors.

This would help insure the safety of citizens that at this time are considered higher risk.

AGENDA ITEMS

1. Approve: Resolution #12-2020: To Adopt a Negative SEQR Declaration for Proposed Local Law#2-2020, to Adopt a Local Law Establishing Zoning Requirements for Solar Energy Systems: Todd Pipitone made the motion to approve Resolution #12-2020: To Adopt a Negative SEQR Declaration for Proposed Local Law#2-2020, to Adopt a Local Law Establishing Zoning Requirements for Solar Energy Systems, as written:

Jim Welch seconded the motion, and a roll call vote was requested.

Councilman Welch	Aye
Councilman Cook	Aye
Councilman Pipitone	Aye
Supervisor Miller	Aye

Vote: 4 Ayes. Carried.

RESOLUTION #12-2020 TO ADOPT A NEGATIVE SEQRA DECLARATION FOR LOCAL LAW #2-2020 TO ADOPT A LOCAL LAW ESTABLISHING ZONING REQUIREMENTS FOR SOLAR ENERGY SYSTEMS.

WHEREAS, the proposed action involves consideration of the adoption of Local Law #1-2020 to adopt a local law establishing zoning requirements for solar energy systems in the Town.

WHEREAS, the proposed action is a Type I Action for which the Town Board of the Town of Palmyra is the lead agency for purposes of uncoordinated environmental review in connection with approval by the Town.

WHEREAS, the Town Board of the Town of Palmyra, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law – the State Environmental Quality Review ACT (“SEQRA”), (i) thoroughly reviewed the Long Environmental Assessment Form (the “Long EAF”), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR § 617.7(c), and (iii) completed the Long EAF, Part II;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, the Town Board of the Town of Palmyra, based upon (i) its thorough review of the Long EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR

§ 617.7(c), and (iii) its completion of the Long EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQRA for the above-referenced proposed action, and determines that neither a full Environmental Assessment Form, nor an Environmental Impact Statement will be required, and

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed Long EAF and determination of significance shall be incorporated by reference in this Resolution.

2. Approve: Public Hearing date for Proposed Local Law#2-2020 , to Adopt a Local Law Establishing Zoning Requirements for Solar Energy Systems: Todd Pipitone made the motion to approve December 29, 2020 at 7:00PM for public hearing to discuss Proposed Local Law #2-2020 , to Adopt a Local Law Establishing Zoning Requirements for Solar Energy Systems.

Second: Brad Cook

Vote: 3 Ayes. Carried

3. Approve: Block of 50 Hours of Professional Service with Integrated Systems: Todd Pipitone made the motion to allow the Supervisor to sign the contract for a block of 50 hours of Professional Service with Integrated Systems. This contracted price of \$85.00 per hour has not changed.

Second: Brad Cook

Vote: 3 Ayes. Carried

Supervisor Miller added that Microsoft has tightened security on “Office” users and it looks like organizations like ours will not be able to buy new programs, but will have to lease them in the future. The highway department computers are already set up that way.

4. Approve: Agreement with Village, Town and Community Center for 2021: Brad Cook made the motion to approve the agreement between the Village of Palmyra, Palmyra Community Center, and Town of Palmyra for 2021, with payment to Village for this agreement not to exceed \$43,413.00.

Second: Todd Pipitone

Vote: 3 Ayes. Carried

5. Approve: Resolution #13-2020 For Purchase Of One Unused 2022 (Or Newer) Tandem-Axle Dump Truck With Outfitting: Jim Welch made the motion to approve Resolution #13-2020 For Purchase Of One Unused 2022 (Or Newer) Tandem-Axle Dump Truck With Outfitting for a total complete truck purchase price of \$216,858.60, as written:

Todd Pipitone seconded the motion, and a roll call vote was requested.

Councilman Welch	Aye
Councilman Cook	Aye
Councilman Pipitone	Aye
Supervisor Miller	Aye

Vote: 4 Ayes. Carried.

**RESOLUTION #13-2020
FOR PURCHASE OF ONE UNUSED 2022 (OR NEWER)
TANDEM-AXLE DUMP TRUCK WITH OUTFITTING**

WHEREAS, the Town Board has budgeted monies in the 2021 Town budget for the upgrade and replacement of the highway department's existing 2001 Sterling 10-wheel dump truck; and

WHEREAS, NY State Legislature passed a new 'Piggybacking' law on August 1, 2012, which was subsequently signed into law by Governor Andrew Cuomo as of August 1, 2012 thru July 31, 2019, but recently extended thru July 31, 2021, which authorizes municipalities and districts thereof to contract for certain good and services jointly with the State or other municipalities; and

WHEREAS, a new subdivision 16 has been added to General Municipal Law (GML) SS 103 to authorize political subdivisions to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state of any other political subdivision or district therein; and

WHEREAS, the Onondaga County Division of Purchase has already advertised for the submission of competitive bids, which was clearly advertised in the newspapers, specifying that the bids would be open on June 7, 2018; and

WHEREAS, the Onondaga County Division of Purchase has already prepared a 'Notice of Contract Award', dated July 20, 2018, listing all responsible low bidders over a 5-year contract period from 06/24/18 to 06/23/23, and

WHEREAS, within the Onondaga County Division of Purchase 'Bid Proposal', Instructions to Bidders/General Conditions Item 6. - *Purchases by other governmental or authorized entities*, clearly indicates that the award is open to all other county agency, department or municipality located wholly or partly within New York State, so they may

make material purchases from this bid within the same Terms and Conditions, with vendor concurrence; and

WHEREAS, Beam Mack is the lowest responsible bidder for a new 2022 Model Year Mack Granite 64FR tandem-axle cab & chassis, priced NTE \$139,388.60; and

WHEREAS, Viking-Cives Corp. is the lowest responsible bidder for the outfitting of the new truck with dump body, hydraulics, sander controls, plow equipment and associated accessories, priced NTE \$77,470.01

NOW, THEREFORE, BE IT RESOLVED that the Town of Palmyra, shall place an order for One Unused 2022 Mack Granite 64FR tandem-axle dump truck from Beam Mack with outfitting by Viking-Cives for a total complete truck purchase price of \$216,858.60, F.O.B. Palmyra Highway Department, Palmyra, New York.; and

BE IT FURTHER RESOLVED, that the Town Highway Superintendent shall execute the necessary paperwork and take such other steps as are necessary to complete the purchase of the truck, the subject of this resolution.

6. Approve: Resolution #14-2020 For Purchase Of One Unused 2021 (Or Newer) 18,000 Gvwr 4x4 Truck Cab/Chassis : Jim Welch made the motion to approve Resolution #14-2020 For Purchase Of One Unused 2021 (Or Newer) 18,000 Gvwr 4x4 Truck Cab/Chassis, for a total complete truck purchase price of \$49,000.00, as written:

Brad Cook seconded the motion, and a roll call vote was requested.

Councilman Welch	Aye
Councilman Cook	Aye
Councilman Pipitone	Aye
Supervisor Miller	Aye

Vote: 4 Ayes. Carried.

**RESOLUTION #14-2020
FOR PURCHASE OF
ONE UNUSED 2021 (OR NEWER)
18,000 GVWR 4X4 TRUCK CAB/CHASSIS**

WHEREAS, the Town Board has budgeted monies in the 2021 Town budget for the upgrade and replacement of the highway department’s existing 2012 Ford F550 4x4 6-wheel dump truck; and

WHEREAS, NY State Legislature passed a new ‘Piggybacking’ law on August 1, 2012, which was subsequently signed into law by Governor Andrew Cuomo as of August 1, 2012 thru July 31, 2019, but recently extended thru July 31, 2021, which authorizes municipalities and districts thereof to contract for certain good and services jointly with the State or other municipalities; and

WHEREAS, a new subdivision 16 has been added to General Municipal Law (GML) SS 103 to authorize political subdivisions to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or

repair of those items, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein; and

WHEREAS, the Onondaga County Division of Purchase has already advertised for the submission of competitive bids, which was clearly advertised in the newspapers, specifying that the bids would be open on June 7, 2018; and

WHEREAS, the Onondaga County Division of Purchase has already prepared a 'Notice of Contract Award', dated July 20, 2018, listing all responsible low bidders over a 5-year contract period from 06/24/18 to 06/23/23, and

WHEREAS, within the Onondaga County Division of Purchase 'Bid Proposal', Instructions to Bidders/General Conditions Item 6. - *Purchases by other governmental or authorized entities*, clearly indicates that the award is open to all other county agency, department or municipality located wholly or partly within New York State, so they may make material purchases from this bid within the same Terms and Conditions, with vendor concurrence; and

WHEREAS, Van Bortel Ford is the lowest responsible bidder for a new 2021 Model Year Ford F550 XL Reg cab & chassis 4x4, priced NTE \$49,000.00; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Palmyra, shall place an order for One Unused 2021 Ford F550 XL Reg cab & chassis truck from Van Bortel Ford for a purchase price of \$NTE 49,000.00, F.O.B. Palmyra Highway Department, Palmyra, New York.; and

BE IT FURTHER RESOLVED that the Town Highway Superintendent shall execute the necessary paperwork and take such other steps as are necessary to complete the purchase of the truck, the subject of this resolution.

7. Approve: Book Keeper to issue check to NYSDOT: Jim Welch made the motion to approve the book keeper to over night a refund check to the NYS DOT as they mistakenly deposited \$8,000.00 into our account instead of the village account.

Second: Todd Pipitone

Vote: 3 Ayes. Carried

MOTION TO APPROVE CLAIMS AND EXPENDITURES

Todd Pipitone made the motion to approve claims and expenditures for the month of November 2020, – Vouchers #976 thru #1096 totaling \$209,099.34.

Second: Brad Cook

Vote: 3 Ayes. Carried

MOTION TO ENTER INTO EXECUTIVE SESSION

At 7:50 PM, Jim Welch made the motion to enter executive session to discuss particular personnel.

Second: Todd Pipitone

Vote: 3 Ayes. Carried

MOTION TO EXIT EXECUTIVE SESSION

At 8:30 PM, Jim Welch made the motion to exit executive session.

Second: Todd Pipitone

Vote: 3 Ayes. Carried

MOTION TO ADJOURN MEETING

At 8:32 PM, Jim Welch made the motion to adjourn the meeting.

Second: Brad Cook

Vote: 3 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

ATTACHMENT A

**MAP OF PROPOSED SEWER AND
EXPANSION AT MARQUART
MOBILE HOME PARK**

PUBLIC HEARING AND REGULAR TOWN BOARD MEETING
TUESDAY DECEMBER 29, 2020
7:00 PM – Palmyra Town Hall