

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
February 26, 2015**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, February 26, 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:

- Kenneth Miller, Supervisor
 - James Welch, Deputy Supervisor
 - Michael Lambrix, Councilman
 - Todd Pipitone, Councilman
- Councilman David Nussbaumer, was absent.

ROLL CALL

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

**MTN:
APPROVE
PREVIOUS
TOWN BOARD
MINUTES**

Second: Mike Lambrix Vote: 3 Ayes. Carried

Also attending was: Richard Hagar, Marc Carrier, Frank Vascukynas, Mike Catalano, John Rush, Jason Bliss, Mike Woodard, Matt LaMora and Highway Superintendent Mike Boesel.

ATTENDANCE

HEARING

There was no official hearing this evening.

HEARING

COMMUNICATIONS

There were no official communications received.

**COMMUNICA-
TIONS**

REPORTS OF STANDING COMMITTEES

SUPERVISOR REPORTS

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

MTN: APPROVE RES#5-2015 - RECOGNITION OF J. RUSH AS REP. TO EMS BOARD

1. Approve: Resolution #5-2015 – Recognition of Service by Mr. John Rush as our Representative to EMS Advisory Board -Supervisor Miller asked to move the approval of Resolution #5-2015 to this point in the meeting. Mr. Miller stated that he was both happy and sad to announce that John Rush would no longer be serving as our representative to the Wayne County EMS Advisory Board. The Supervisor also commended Mr. Rush for doing an excellent job these past five years and asked the Town Clerk to read the following resolution:

Resolution #5-2015
RECOGNITION OF SERVICE BY JOHN RAYMOND RUSH

WHEREAS, the Town Board of the Town of Palmyra, County of Wayne, State of New York, has noted the five (5) years of service to the Town of Palmyra by **John Raymond Rush**, Serving as our Representative to the Wayne County, New York, Emergency Management Service (EMS) Advisory Board; and

WHEREAS, these years of service have benefited the Town and its residents in many ways; and

WHEREAS, the Town Board of the Town of Palmyra recognizes the work accomplished by Mr. Rush and the Wayne County EMS as a whole;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Palmyra wishes to express its appreciation and gratitude to John Raymond Rush for the time and effort served as our representative to the EMS Advisory Board; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra wishes to let Mr. Rush know that his resignation as the Town of Palmyra Representative to the EMS Advisory Board is accepted with regret, wishing John well in his future ventures.

By Order of the Town Board
Dated: February 26, 2015

Councilman Todd Pipitone made the motion to approve Resolution #5-2015, as was read by the Town Clerk.

Second: Mike Lambrix Vote: 4 Ayes. Carried

MTN: APPROVE MIKE CATALANO AS NEW REP FOR EMS ADVISORY BOARD

2. Approve: Mike Catalano as the new Representative to the Wayne County EMS Advisory Board- Mr. Miller asked that this item also be moved up in the agenda. Mr. Mike Catalano, resident of Palmyra, and current Deputy Chief of the Newark-Arcadia EMS, was introduced by Supervisor Miller. Councilman Pipitone made the motion to appoint Mike Catalano as our new Representative to the Wayne County EMS Advisory Board.

Second: James Welch Vote: 4 Ayes. Carried

3. Shilling/ Desmith/ Newark-Marion Road Possible Water Project:

Supervisor Miller shared with the board the final count for interest in the possible water project. He pointed out that at this time, the final count was 12 actual “yes”, and 5 actual “no”, out of a possible 22 properties. He also reminded the board that the deadline date for response was February 13, 2015, and that a “no response returned” will be considered a “yes” interest vote. Supervisor Miller said because of the overwhelming interest in the project, he would be contacting Dave Doyle from the MRB Group to see what engineering would cost for this project. At that time, we can move forward and announce a public hearing.

**POSITIVE
INTEREST IN
POSSIBLE NEW
WATER PROJECT**

4. Faradyne Motors Project Plan: Mr. Miller pointed out the outline for the General Project Plan for Faradyn Motors, located at 2077 Division Street, was included in the board packets. This project includes business expansion involving job retention and creation. Any further questions could later be directed to Supervisor Miller.

**FARADYN
MOTORS
PROJECT PLAN**

5. Rural Development: An e-mail was received from Rebecca Strohm, Area Technician from Rural Development, stating that the year end financial totals for the Town of Palmyra was just below \$1 million, so we will only be required to submit the Town’s AUD instead of hiring an outside auditor. Mr. Miller pointed out that this was very good news, as it saves the Town of Palmyra \$2,000-\$3,000!

**NO EXTERNAL
AUDIT NEEDED**

6. Internal Audit Forms: Supervisor Miller was pleased to announce that the internal audits were complete for the Town of Palmyra Town, and that all was found to be more than satisfactory. NYS Audit forms had been distributed to the board members for their use. Councilman Lambrix performed the audits for the Town Clerk and Tax Collection accounts, Councilman Pipitone completed the Town Justice audit, and Councilman Welch completed the Book keeper audit. Completed audits can be viewed in the Town Clerk’s Office.

**INTERNAL
AUDITS
COMPLETED**

7. Final Candidate for Code Enforcement Officer: Supervisor Miller informed the board that they are still looking for a replacement for CEO Dan Wooden that will be retiring soon. This is a more complex process than originally thought because it is a Civil Service position. People that participated in testing previously needed to be contacted to see if they are were still interested, and they needed to be contacted first. It is the hope of the CEO that the final candidates will be notified by next week.

**FINAL
CANDIDATES FOR
CEO POSITION TO
BE ANNOUNCED**

TOWNCLERK
REPORT

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

1. **Town Clerk Office Report for February:**

TOWN CLERK OFFICE REPORT TO THE BOARD
FEBRUARY 2015

The Comptroller recommended audit check lists were completed for the Town Clerk / Tax Collection accounts, Justice Accounts and Bookkeeper accounts. Councilman Lambrix conducted the audits for town clerk and tax collection, Councilman Pipitone for the Justice, and Councilman Welch for the book keeper. All records were found to be more than satisfactory.

Through dog licensing in January, we sold 87 licenses totaling \$670.00, misc sales – there were no marriage licenses; but hunting/fishing, vital record requests, etc- added an additional \$930.15. Total check disbursements for the month of December were \$1600.15 We have had numerous inquiries from travelers wanting to purchase EZ Pass from the Town; I will be asking permission this evening to purchase additional as we have sold all that we had.

The month of February has been steady with Town and County tax collection and water payments. So far, since January1, we have collected \$3,807,033.77 of the \$4,820,502.11 tax warrant.

Celeste and I have continued organizing, and also boxing up for shredding, some of the documents that are no longer necessary in the archive rooms, carefully following the MU-1 Retention Schedule as laid out by NYS. Celeste has been organizing/ labeling the permanent boxes in the archive rooms for easier accessibility.

NYSTCA
CONFERENCE

2. **NYSTCA Conference in April:** This is a statewide annual conference that is being held in Rochester this April. The Town Clerk will be asking permission to attend, along with the Deputy Town Clerk, later this evening. These are excellent classes, which also include legal updates, for the clerk and deputy. The plan is to drive back and forth every day to save approximately \$500.00 in accommodation fees.

NYS EZ PASS

3. **New York State EZ Pass:** There has been a lot of interest voiced by the public to purchase EZ Passes, and we are currently out of them. The first set that was purchased sold, and the Town Clerk will be asking to purchase an additional box (minimum of 25 passes required) to be sold in the Clerk’s office.

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

**HIGHWAY
REPORT FOR
FEBRUARY**

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

Highway Superintendent Report
For Town Board Meeting
2/26/15

Since the 1/22/15 Town Board meeting we have completed the following work:

- **Plowing/Sanding** –To date this winter season we have made a total of 97 trips out of the barn. A comparison to this point of the past 5 winter seasons is below:
 - Feb 2014 - 109 trips.
 - Feb 2013 - 60 trips.
 - Feb 2012 - 39 trips.
 - Feb 2011 - 110 trips.
 - Feb 2010 – 90 trips.
- **Hauling Sand** – This past week we had Wayne County Highway assist with hauling sand to help re-stock our sand mix barn. 40 loads were hauled-in totaling approximately 600 tons.
- **Salt Orders** – To date this winter season we have received approximately 2016 tons of our 2800 ton allotment, which approximately 72% of our requested allotment. I have an order for an additional 200 tons from 2/18 that we have yet to receive, which would bring us up to 79%.
- **Winter Fleet Maintenance** – We have not been able to service many equipment items since the last TB meeting due to daily snowplowing throughout the month, but these past few days we were finally able to complete service to 2 trucks.
- **Extreme Weather** - This February is about to become our coldest February on record and its proven itself. In the past 4 days this week I have assisted in the Village with 9 of 13 (and counting) frozen water services (5 new ones today alone!). As in past years, we have also experienced our share of truck air systems freezing and material loads (sand/salt) freezing in the trucks. Our fuel island pump handles have also been frozen at times. We continue to be extremely low on waste oil to run our shop heating system. We also have hauled more snow to Brian Pulcini's lot this past month than I can remember.
- **Advocacy Day Approval - CHIPs Funding** – Our annual Advocacy Day in Albany is coming up next week Wednesday March 4th. We are optimistic for a CHIPs increase as several legislators have proposed anywhere from \$100M to \$300M program increases. A majority of Superintendents from Wayne County will be attending next week.

**PLOWING/
SANDING**

**EXTREME
WEATHER**

**ADVOCACY DAY
IN ALBANY**

**MAY 9
HIGHWAY
AUCTION**

- **Palmyra Municipal Auction** – The date has been set for Saturday May 9, 2015. I intend to have the Auction Contract on the March agenda for approval.
- **Town Hall Projects** – Earlier in the month we completed a 'to-do list' of minor projects at the Town Hall including removing an old fire safe file cabinet, installed a new faucet, wrapping pipes under sink, relocated old hotel pillars to museum, and checking the basement.
- **Village Budget** – Budget season continues in the Village and I had my second budget meeting this past month. The next meeting is scheduled for 3/2/15.

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

**FROZEN PIPES IN
VILLAGE**

Mr. Boesel also informed the board that though this has been an exceptionally cold winter, and the 4th snowiest on record, the number of trips out of the barn is pretty comparable, except for 2012-2013, when we did not have as much snow. There has been increase though in frozen pipes, with 13 instances of frozen pipes in the village alone.

Supervisor Miller asked if we cut down on the amount of salt used during this colder than usual weather. Mr. Boesel explained that they do, and give a light shot first and then concentrate on intersections, curves and stops.

**POSSIBLE
PUBLIC WORKS
FACILITY?**

Councilman Pipitone asked if it would be a good idea to look into a plan for a public works facility, as it is difficult to work on the trucks in the winter. Discussion ensued, and included such topics as its usefulness, and grants or state aid (is it a “Shared Service”?) that might be available. Mr. Boesel again shared the sentiment that he feels we are penalized for being “ahead of the game” when it comes to shared services. It was decided that perhaps this was a good time to begin looking at such a facility.

Mr. Boesel again reminded everyone in attendance that the annual Highway Auction will be on May 9th, and that we would have a contract for next month’s meeting.

Councilman Welch took a moment to thank the highway department for all their hard work during the coldest and snowiest month on record.

Economic Development/Planning—Grounds, IT, Strategic Plans: Todd Pipitone, Chairman**BLUE ROCK
ENERGY
EFFICIENCY
AUDIT**

1. **Blue Rock Energy:** Councilman Pipitone deferred to Supervisor Miller to explain what he had discussed with the representative that visited both the Town Hall and Highway facilities. Mr. Miller explained that Blue Rock

Energy had conducted an efficiency audit throughout the town hall building, parking lot, and highway barns. Both proposals were included in the board packets with net investments equaling \$35,918 for the Town Hall, and \$18,565 for the highway barns. He explained with the updated technology you would see a payback for the highway in 4.7 years, and 6.1 years for the Town Hall. It is deemed “worth it” if you see a payback within 5 years.

Discussion ensued and the board asked questions such as: Would Blue Rock look for grants? Do we need other bids? Would it not be worth investigation a public works facility before spending the money?

Councilman Lambrich questioned why we would invest \$18,000 plus in light bulbs when what we need is a new highway barn, and he would rather see the money spent on something that our guys can use. Mr. Miller countered that \$18,000 would not put a dent in the cost of a barn, and Mr. Lambrich disagreed and commented on personal experience in contracting a barn. He also added that we should contact Senator Nazzolio for additional funding as they just gave millions of dollars to fix the Tappan Zee Bridge in NYC, and requested that the minutes include that we once again “got stuck in our behind because of our illustrious Governor” when there were many more upstate repairs needed. Mr. Lambrich suggested that Mr. Boesel contact Santelli to get a price on materials, and Supervisor Miller added that Mr. Boesel should contact MRB group (Dave Doyle) next week as well.

It was decided to table this discussion until the March meeting with any further questions directed to Supervisor Miller before that time.

2. Justice Annual Audit: Councilman Pipitone performed the audit, and stated that the Justice Clerk did an excellent job with her record keeping, and that the justice is held to much more stringent rules and regulation.

**JUSTICE ANNUAL
AUDIT**

3. Dobmeir Janitorial Supply: Supervisor Miller shared a list of janitorial supplies that we have already purchased along with a quote for stripping and cleaning our floors and rugs. Approval for this quote will be asked for later this evening.

**DOBMEIER
JANITORIAL**

4. MIG Insulation Proposal: There is a severe problem with ice in the rear of the building, and Supervisor Miller asked MIG to investigate and offer a solution. The following is the proposal received.

**MIG INSULATION
PROPOSAL FOR
REAR OF TOWN
HALL**

“Attic Insulation – Rear of Building between two gable roof extensions.

1) Foam seal all ceiling penetrations. 2) Install faced fiberglass insulation in all voids. 3) Install air baffles at the eaves between each truss 4) Install R30

unfaced fiberglass insulation over the existing insulation in the opposite direction. Exclude the catwalk area. Job total \$3650.00.”

Supervisor Miller sated that this would help, but would not be a 100% fix. Discussion ensued. Mr. Miller said that he discussed with the CEO’s taking the gutter off in back and perhaps putting a metal sheath on roof to help ice slide off. The installation of a “French Drain” (trenching around the building and filling with gravel) was also discussed.

Approval for the MIG proposal will be asked for later this evening.

5. Restrictions and New Requirements for IDA (Industrial Development Agency): A form letter written by the IDA, urging the rejection of Part W of the Revenue Bill in the Governor’s budget was shared with the board.

Councilman Pipitone explained that though the Governor promised that the pilot agencies more responsible for following regulations, it would move local economic development decisions to the state.

Discussion ensued and it was decided to table this discussion, and decision, for the March meeting. Councilman Welch commented that he did not like the Governor controlling our local economic decisions (a sentiment that was shared by all the board members), and Supervisor Miller asked Mr. Pipitone to contact Peg Churchill (Director of IDA) with any questions before the next meeting.

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

1. Assessor’s Office Report for February:

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR’S OFFICE
FEBRUARY 25, 2015**

February has been a very busy month, with all the exemptions due by March 1, 2015. Property owners have until Monday at the close of business to get their exemptions into the office as the first falls on a Sunday this year. We still have a number of property owners who have not returned their forms. We have called those that we have numbers for and have also sent out post cards to everyone, even if they got a phone call. These reminders were sent out for the Senior STAR, aged exemption as well as the agricultural exemptions. We also have owners who have returned their forms, but forgot the proper documentation. We can deal with those owners next month.

(The second paragraph of the Assessor’s report was stricken because of HIPPA Law)

**IDA FORM
LETTER- TABLE
DISCUSSION
UNTIL MARCH
MEETNG**

**ASSESSOR’S
REPORT FOR
FEBRUARY**

My copier needed repairs and Kopy Kat, who owns the machine, decided to replace it instead of repair it. The machine we now have can duplex automatically, a feature that did not work on the one they replaced. It has been a great help with copying all the income statements that I am required to have to determine some exemptions. There was no additional cost to the Town for this replacement, as we are under contract with them and repairs/replacement is part of that contract fee we pay every year.

As always, if you have any questions or concerns, please let me know and I will get you an answer as soon as possible.

2. Code Enforcement/Zoning Office Report- February: Code Enforcement Officer Dan Wooden submitted a report to the Board Members including a list of building permits and certificates of compliance for December 22, 2014 through February 26, 2015. Supervisor Miller invited all to read it at their leisure.

There were also two letters from CEO Dan wooden included. The first was to inform the board that he attended court the week before regarding the property at 4775 Tellier Rd that is falling to ruin near the railroad tracks. The judge made a ruling that the owner must remove the structure within 6 months, and if he does not, the Town has the permission to remove it and charge back the total cost to the owner. Councilman Lambrix asked for clarification to be sure that any additional insurance needed for the town to remove the building could also be charged to the owner. Mr. Miller said yes, the ruling said "total cost".

COURT ORDER TO REMOVE PROPERTY ON TELLIER RD

The second letter was information that was shared previously regarding options for replacing the retiring CEO Dan Wooden. Supervisor Miller said the difference now was that they found out it is indeed a Civil Service position and they need to "hire off the list". The town is currently working with Wayne County, and they are taking the lead on it.

CEO HIRING

3. Minutes from Zoning Board Meeting for February: There was no meeting in February.

4. Minutes from Planning Board Meeting from February 9th: Minutes from the Feb. 9th planning board meeting were included in the board packets.

MINUTES FROM FEB. BRD. MEETING

INFORMATIONAL ITEMS

1. Wayne County Sheriff's Office: There was no report included tonight. Supervisor Miller will forward any information to the board when he receives it.

AGENDA ITEMS

MTN: APPROVE ATTENDANCE TO NYSTCA CONFERENCE

1. **Approve: Attendance to the Annual NYSTCA Conference:** Mike Lambrix made the motion to allow the Town Clerk, and Deputy Town Clerk, to attend the annual Town Clerk Association Conference in Rochester, NY, April 27-29, 2015, not to exceed \$500.00 plus mileage.

Second: Todd Pipitone Vote: 3 Ayes. Carried

MTN: APPROVE INSULATION FOR ROOF

2. **Approve: MIG Insulation Project for the Roof:** Todd Pipitone made the motion to approve the insulation project as proposed, not to exceed \$3650.00.

Second: Mike Lambrix Vote: Jim Welch – Nay 3 Ayes. Carried

MTN: APPROVE CLEANING OF FLOORS AND CARPETS

3. **Approve: Dobmeier Janitorial Cleaning of Floors and Carpets:** Todd Pipitone made the motion to have Dobmeier Janitorial Cleaning, clean the floors and carpets as proposed, not to exceed \$1154.41.

Second: Jim Welch Vote: 3 Ayes. Carried

MTN: APPROVE ATTENDANCE TO HR COURSE

4. **Approve: Supervisor and Bookkeeper to Attend Human Resources Course:** Todd Pipitone made the motion to allow the Supervisor and Bookkeeper to attend a Human Resources Training Course in Rochester NY, not to exceed \$300.00 plus mileage. This course will include 8hrs of training in documentation, hiring, firing, and other topics.

Second: Jim Welch Vote: 3 Ayes. Carried

MTN: APPROVE PURCHASE OF EZ PASSES

5. **Approve: EZ Pass Purchase:** Mike Lambrix made the motion to purchase an additional 25 EZ Passes (1 box) for resale in the Town Clerk’s office, not to exceed \$525.00.

Second: Todd Pipitone Vote: 3 Ayes. Carried

MTN: APPROVE DEP. CEO TO ATTEND EDUCATION CONFERENCE

6. **Approve: Deputy CEO to Attend Education Conference:** Todd Pipitone made the motion for the Deputy Code Enforcement Officer to attend the Annual Education Conference in Henrietta NY, not to exceed \$400.00 plus mileage.

Second: Mike Lambrix Vote: 3 Ayes. Carried

PUBLIC INPUT

Supervisor Miller asked if anyone had contacted the Town Clerks office to ask to address the board. There was. Mr. Frank Vascukynas sent a letter to the board in November of 2014 regarding the closed landfill on Garnsey Rd. Mr. Vascukynas approached the board and asked where did the DEC representative that came out obtain information that he said was not true? He stated that there were indeed homes and wells located within 300 feet of the landfill, and that the 1995 report was incorrect. Discussion ensued. Supervisor Miller asked Mr. Vascukynas to put his concerns in writing, and again stated that all correspondence and dealings with the DEC has stated that all closing and handling of the landfill was done properly by the Town of Palmyra. Councilman Pipitone asked Mr. Vascukynas to state in his letter what he really wanted; that at the end of the day it is safe to be living there.

**PUBLIC INPUT –
RE: GARNSEY
ROAD LANDFILL**

Claims and Expenditures: Todd Pipitone made the motion to approve claims and expenditures in the February 2015 abstract, voucher #3705 thru #3831, totaling \$527,115.59.

**MTN: APPROVE
CLAIMS AND
EXPENDITURES**

Second: Mike Lambrix

Vote: 3 Ayes. Carried

Adjourn Meeting: At 7:54 PM, Mike Lambrix made the motion to adjourn the meeting.

Second: Todd Pipitone

Vote: 3 Ayes. Carried

**MTN: ADJOURN
MEETING**

Respectfully submitted,

Irene Unterborn
Town Clerk

NEXT REGULAR MEETING
Thursday March 26th, 7:00 PM,

PALMYRA TOWN HALL