

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
May 27, 2021**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, May 27, 2021, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

Supervisor Miller announced that we no longer needed to sign the health attestation, and then 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
Doug DeRue, Councilman

Motion was made by Jim Welch to approve the minutes of the Town Board meeting which took place on April 22, 2021.

Second: Brad Cook

Vote: 3 Ayes. Carried

Councilman Welch abstained as he was absent.

ATTENDANCE

Also attending was: Marc Carrier, WC EMS Representative Mike Catalano, Highway Superintendent Mike Boesel, Casey Carpenter (WC Times), Richard and Nancy Hagar, and Frank Vaskunas.

HEARING

There was no official hearing this evening.

GUEST SPEAKER

Mike Catalano, our representative from the Wayne County EMS Advisory board, told the board that there was no report available from Finger Lakes Ambulance this month, but that the committee formed to find the best ambulance service solutions for the county has already made some significant changes.

COMMUNICATIONS RECEIVED

There were no communications received prior to the meeting.

PUBLIC INPUT *

Richard and Nancy Hagar from Garnsey Road read, and submitted the following letter:

To: Town of Palmyra 5/27/21

I'm here to ask the board members. The site Characteration by the "DEC" on two occasion, claims the levels of PFO₂ ("perfluorooctane sulfonate") PFOA₂ ("perfluorooctanoic acid") are above safe levels. Not to mention Aluminum, Arsenic, Boron, Cadmium, Chromium, Iron, lead, Manganese, and Mercury are all above safe levels. Additionally... compound such as Chrysene, Toluene, and benzene were also detected at notable levels.

My property is surrounded by highly toxic chemicals that the town is in ownership of. It has been determined these chemicals are leaking onto and into adjacent lands, which mine is.

For years I have brought this issue to you and the Assesors attention for relief, Yet I am continued to be billed for my property taxes on a property I can not live on. I'm asking to receive formal documentation that I have a balance of Zero dollars owed as an intial step in the process of restoring wholeness as we work through this going forward, and I expect this without delay.

RECEIVED
MAY 27 2021
In 9:52 AM
TOWN OF PALMYRA

Richard Hagar
Nancy Hagar

Marc Carrier, of Garnsey Rd, commented about what he felt was a lack of performance on behalf of the Town Board with regards to the Old Palmyra Landfill. Discussion ensued, and Mr. Carrier read a prepared statement mentioning what he thought was “obstruction of justice”, efforts made to ban him from meetings, and what he thought were facts about the Old Landfill misrepresented by the board.

NOTE:

The following statement is now be included on all public agendas:

**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.*

REPORTS OF STANDING COMMITTEES

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

1. Old Palmyra Landfill Supplemental Site Characterization (SSC) Work Plan Approval: The NYS DEC and Department of Health have reviewed and approve of the revised Supplement Site Characterization Work Plan, dated May 14, 2021, for the Old Palmyra Landfill. This plan is now available on the DECinfo Locator <https://gisservices.dec.ny.gov/gis/dil/> , and at both document repositories (the Palmyra Town Hall and the Palmyra Community Library). The town clerk asked for a quick lesson from the Supervisor on how to navigate the new site!

2. Equalization Rate for Town of Palmyra: On May 18, 2021, New York State established a final 2021 State and/or Class equalization rate for the Town of Palmyra, as well as all towns in Wayne County. The final rate is 89.00. The final rate certificate, impact statement and Data reports that were previously emailed to the Town Board are attached. Councilman Pipitone will ask the Assessor, Joan Gates, to attend the next meeting.

3. New Town Hall Covid Rules: The Town Hall will be following the new CDC and Wayne County Health Care recommendations regarding COVID. More information and new signage will be available soon.

4. Canandaigua National Bank CD Disclosure: Mr. Miller explained the bank approached us and offered .2% if we put our town money into a CD. The CDs are no longer long term, and there is no penalty whether we put them in for 30 day or a year, and no penalty to draw out early when needed.

5. American Red Cross Shelter: The facility use agreement (was reviewed with the board at the last meeting) with the Red Cross was signed. The Red Cross will now be able to use the town hall to provide services during a disaster.

6. Hours and Use at the Town Hall: The Town Hall Offices will continue to be open their regular hours Monday thru Friday, (now including Monday afternoon during county parole meetings), but will also now be open to facility use by the public at other hours and on weekends. It is asked that the west side bathroom facilities be used by the public, and the east side facilities be used for employees only.

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

1. Town Clerk Report for May:

TOWN CLERK OFFICE REPORT TO THE BOARD

May 2021

Now that more and more people have received their COVID vaccinations and are able to travel once again, we have seen an upswing in the number of marriage licenses being issued, tourists stopping by for information, and EZ Passes being sold! It is nice to see things getting back to normal as this pandemic winds down!

We will be working with the highway guys (rainy day project) to flip flop the Tourism room and Record staging room so that visitors can have access to tourism information but will not have access to the drop box. Supervisor Miller and Highway Superintendent Boesel are both aware and happy to help. Thank you!

I would have the Annual Town Clerk Conference but it was cancelled once again because of COVID. However, there was a lot of valuable information shared virtually and at our virtual Wayne County Clerk Association meeting. Two years ago, I applied for, and received a \$500.00 scholarship to attend the conference to offset the cost to the Town. I will still be able to use that for next year's conference....as long as we have a conference!

Through dog licensing in April, we sold 93 licenses totaling \$760.00, misc sales, EZ Passes, (I just ordered an additional 25 as they are still selling well), marriage licenses, hunting/fishing, vital record requests, code, etc- added an additional \$5,651.11. Total check disbursements for the month of April were \$6,410.11.

2. Marathon Electric: Councilman Cook is in contact with the representatives at Marathon Energy, and we should expect a contract at next months meeting.

3. Building Update: Mr. Cook received a list from the Town Clerk and Book Keeper as to things that need to be done around the town hall. The list includes some spring cleanup, painting and scraping of a few ceilings, and removal of a dead pine tree to name a few.

4. Tick Removal Kits: Mini tick removal kits (direction and tweezers) are available once again in the Town Clerk office to share with the public at no cost. I requested them from the WC Heath Dept and they happily supplied them!

5. Town Clerk will be Absent from June Meeting: Reminder that the Town Clerk will not be in attendance at the June 24th, 2021 meeting (the deputy town clerk will be there), and asks that the bulk of the agenda items and information please be given to clerk by Tuesday June 15, 2021, if possible.
Thank you!

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

1. Highway Department report for May:

**Highway Superintendent Report
For Town Board Meeting
05/27/21**

Since the 4/22/21 Town Board meeting we have completed the following work:

- Hauling Stone for road projects
- Culvert Work – Fagner Road
- **Palmyra Municipal Auction** – May 8th we held our Annual Palmyra Municipal Auction. The Auction was a nice rebound from 2020 Covid-year. We were back to a Live Auction with total sales just over \$2.0 Million (up from \$1.5M), 358 Lots (up from 155), 414 registered onsite bidders (up from 0) plus 1561 approved online bidders (up from 550). Wayne County Sales Tax generated was \$22,046.64. We also did very well with the sale of our 2001 Sterling Dump (29K), 2012 F550 (28.5K), Roller (6K) and trusses (2300).
- **Winter Recap/Salt** – We ended the winter season with 71 trips out of the barn, with our last trip being on April 22nd. We utilized approximately 1640 tons of our 2600-ton allotment, which is approximately 63% of our requested allotment. My new salt allotment was due on 4/30/21 and I kept our allotment the same at 2600 tons for 2021-22. We still have approximately \$65K unexpended to use for

the remainder of the Town fiscal year, which would get us ~1000 tons to help refill the barns.

- **Personnel** – Chris Bratt started back mowing with us on 5/11/21. He has currently mowed most of the northern half of Town.
- **Upcoming Road Projects** – With the Auction behind us, we have started gearing up for our various summer road projects. We intend to be on several roads this summer including but not limited to Crestwood, Trolley, Stafford, Temple, Goldsmith, Lusk, Division, Schilling, Cambier.
- **Computer** – I am requesting emergency purchase of a new desktop computer for the Highway Dept. Not to Exceed \$759.00 from my Hwy Supt Contractual line item. Due to cancellation of Hwy School, I should have sufficient funding for this purchase.

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

The highway department is in need of a computer, and will asking for permission to purchase later this evening. Though it was not budgeted for, the money that has been saved by not needing to plow as often this year will more than pay for it. Discussion ensued, and Mr. Boesel said that the school will be contacting him soon with new fuel rates. Further discussion ensued about needs for fans in the highway barns, and Mr. Boesel said that he will bring prices to the meeting next month for a couple of commercial fans that could also be paid for with the money not used in the fuel budget.

Town Development: IT & Phones, Fire Protection Contracts, and Strategic Plans - Councilman Doug DeRue

1. Previous Fire Contracts Are Under Review: Negotiations with the Port Gibson Fire Department have progressed favorably; the other negotiations are still underway. When all three are available, we will call for a public hearing to discuss any details with the public.

Councilman DeRue is planning a meeting in Lyons with the IDA to discuss possible ways to attract business into Palmyra. Councilman Cook asked if perhaps some of the “infrastructure” money might help? Supervisor Miller said that we are waiting to find out what “infrastructure” actually means in New York State.

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

1. Assessor's Office Report for May:

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
MAY 20, 2021**

Today (May 11th) I received an email from the e New York State Assessors Association letting me know that I am one of the scholarship winners for the Cornell Seminar on Appraising. The scholarship includes the registration fees, hotel stay, mileage and meals. This year's seminar is being held July 11th – 16th at the Hotel Ithaca.

Grievance day was Tuesday the 25th of May this year. We have four (4) filed grievances at this time. There were three (3) stipulations. A stipulation is an agreement on a different assessment (other than what is on the tentative assessment roll), between the property owner(s) and myself. We also had two (2) corrections.

Chargeback notices were also sent out at the beginning of the month. A chargeback is the new owner paying back the amount saved on tax bill(s) for exemption that the previous owner had received. This does not include the STAR exemption and is usually for Senior Citizens and Veterans Exemptions.

We will be sending out notice of change or no change in a few weeks (usually by mid June), after all the paperwork is completed and signed by the Board of Assessment Review Chairman.

Also we received the Final State Equalization Rate. The rate will be 89%. Our rate has dropped 4.49% since last year. We are doing a revaluation for 2022 to get back up to 100%. If you have any questions about any of this please let me know.

As always, if anyone has any questions or concerns, please don't hesitate to contact me at any time.

2. Code Enforcement/Zoning Office Report - May: Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that included a list of building permits and certificates of compliance for April 20, 2021 thru May 26, 2021.

3. Minutes from Zoning Board Meeting from May 13, 2021: Minutes from the Zoning Board meeting from May 13, 2021 were shared with the board.

4. Minutes from Planning Board Meeting from May 10, 2021: Minutes from the Planning Board meeting from May 10, 2021 were shared with the board.

5. Bid received for Lawn Cutting Services: Per Chapter 605 Yard Maintenance Code, Code Enforcement is to hire a contractor in the Town of Palmyra for properties in violation of Chapter 605. A bid was received from Warren Frederick to charge a one-time fee, per visit, of \$75.00 for grass 8” or lower, \$100.00 for grass 12” or lower, and \$150.00 for grass over 12”. Approval will be asked later in the meeting

INFORMATION

1. Memorial Day: Our community and Palmyra Town Board are invited to meet on Monday May 31, 2021, at the Palmyra Village Cemetery at 9:00 AM in observance of Memorial Day. Unfortunately, because of COVID, there will be no parade this year. A ceremony at the East Palmyra with take place directly afterwards.

AGENDA ITEMS

1. Approve: Approve Agreement with Wayne County for Mowing on County Roads: Jim Welch made the motion to approve Agreement with Wayne County for Mowing on County Roads commencing on April 1st, 2021 and ending on December 31st, 2021.

Second: Doug DeRue Vote: 4 Ayes. Carried

2. Approve: Approve termination of Member of Board of Assessment Review: Todd Pipitone made the motion to approve the termination of Board Member Mitch Murray from the Board of Assessment Review because he did not complete the mandatory “NYS Harassment & Discrimination Annual Training”, and did not attend Grievance Day on Tuesday, May 25th, 2021. Jim Welch seconded the motion, and a roll call vote was requested.

Councilman Welch	Aye	
Councilman Pipitone	Aye	
Councilman Cook	Aye	
Councilman DeRue	Aye	
Supervisor Miller	Aye	Vote: 5 Ayes. Carried

The board asked the clerk to send a letter to Mr. Murray.

3. Approve: Grass Cutting Service with Frederick’s lawn and Landscape: Todd Pipitone made the motion to approve the agreement between the Town of Palmyra and Frederick’s Lawn & Landscape, for grass cutting

service for properties in violation of Chapter 605, for a one-time fee, per visit, of \$75.00 for grass 8" or lower, \$100.00 for grass 12" or lower, and \$150.00 for grass over 12". This will be billed to the town, and added to the property tax bill if unpaid. Supervisor Miller commented that he is glad this allowed!

Second: Brad Cook Vote: 4 Ayes. Carried

4. Approve: Shawn Devlin to fill Vacancy on Town Zoning Board of Appeals: Todd Pipitone made the motion to approve Shawn Devlin to fill vacancy on Town Zoning Board of Appeals, beginning June 1, 2021, and ending December 31, 2022. Brad Cook seconded the motion, and a roll call vote was requested.

Councilman Welch	Aye	
Councilman Pipitone	Aye	
Councilman Cook	Aye	
Councilman DeRue	Aye	
Supervisor Miller	Aye	Vote: 5 Ayes. Carried

6. Approve: Purchase of Dell Computer for the Highway Department: Jim Welch made the motion to approve the purchase of Dell computer for the Highway Department, not to exceed \$759.00.

Second: Doug DeRue Vote: 4 Ayes. Carried

MOTION TO APPROVE CLAIMS AND EXPENDITURES

Todd Pipitone made the motion to approve claims and expenditures for the month of May 2021, Vouchers #445 thru #586, totaling \$66,208.22.

Second: Jim Welch Vote: 4 Ayes. Carried

Before adjourning, Supervisor Miller stated that he would like to check with our attorney to see if it is legal for the town to disallow any discussion on the floor unless it is on the agenda.

The Town Clerk took a moment to correct the date of the next meeting that was written incorrectly on the agenda. The next meeting is *June 24, 2021*.

MOTION TO ADJOURN

At 7:42 PM, Todd Pipitone made the motion to adjourn the meeting.

Second: Brad Cook

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

REGULAR TOWN BOARD MEETING
THURSDAY JUNE 24, 2021
AT THE PALMYRA TOWN HALL