

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
February 27, 2020**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, February 27, 2020, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

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
Michael Lambrix, Councilman
Brad Cook, Councilman
Todd Pipitone, Councilman

Motion was made by Todd Pipitone to approve the minutes of the regular Town Board meeting which took place on January 23, 2020.

Second: Mike Lambrix

Vote: 4 Ayes. Carried

ATTENDANCE

Also attending was: EMS Representative Mike Catalano, Don Wilkinson, Tiffany Williamson, Palmyra Assessor Joan Gates, Doug DeRue, Andrew Lambrix, Marc Carrier, Richard & Nancy Hagar, Frank Vascukynas, Mike Woodard, Highway Superintendent Mike Boesel, and Casey Carpenter (WC Times).

HEARING

There was no official hearing this evening.

ASSESSOR INFORMATION

The Town Assessor, Joan Gates, addressed the board with regards to the current level of assessments, and provided the board with charted sales for both the village and town for January 2019 thru January 2020. She voiced her concerns as the state analysis of the sales vs. assessments shows we are only at 89.34% as the home sales market has been very aggressive and most homes are selling for more than the new assessments. Mrs. Gates is allowed up to a 5% fluctuation, so she will ask the state to consider our assessments to be at 93%. She invited the board and public to contact her office with any questions.

COMMUNICATIONS RECEIVED

1. Documentation regarding Old Palmyra Landfill was received from Marc Carrier on January 23rd, 2020 and distributed to the board. An additional written request to be added to the agenda was received and forwarded to the board on February 24, 2020. **(These are ATTACHMENT A - 2 parts)**
2. A letter and information from Richard Hagar regarding his current assessment and tax burden was received, given to the assessor, and a copy forwarded to the board on February 4th, 2020. **(This is ATTACHMENT B)**

PUBLIC INPUT *

The following statement will 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.***

1. Marc Carrier of Garnsey Rd., Palmyra, had requested to speak regarding information that was distributed to board on January 23, 2020, as well as other points pertaining to properties on Garnsey Rd. contained in the letter received on February 24, 2020. His comments are below.

PALMYRA TOWN BOARD

2/27/20

IT IS HARD TO IMAGINE THAT ANY BOARD MEMBER COULD NOT ACKNOWLEDGE THE SIGNIFICANT ISSUES THE TOWN IS FACED WITH IN REGARDS TO THE LANDFILL PROPERTIES NOT TO MENTION, THE NEIGHBORS CLOSEST TO THESE PROPERTIES AND THE ISSUES IMPOSED ON THEM.

WE ARE STILL LOOKING FOR A MEANINGFUL COMMITMENT FROM THIS BODY TO CONFRONT THESE CHALLENGES HEAD ON, AND TO NOT ONLY DO THE BARE MINIMUM, WHICH HAS NOT EXACTLY BEEN DONE VOLUNTARILY. (BROAD LOOK COMMENT JOKING, "WHAT CAN THE TOWN AFFORD BETTER POSTED SIGNS, MANY HAVE BLOWN OFF.")

30 PAGES OF THE 1100 pg. LaBella Report HAVE BEEN SUBMITTED TO THIS BOARD AS RECORDED, SO THE BOARD AS A WHOLE CAN REMAIN A BREAST TO THIS CONVERSATION.

YOU PEOPLE NEED TO GET FAR MORE AGGRESSIVE IN PROTECTING SO MANY THAT REMAIN UNAWARE TO THE LIKELYHOOD OF EXPOSURE + POTENTIAL HEALTH RISKS FROM ~~MOVING~~ INDUSTRIAL CHEMICALS MOVING FREELY IN THE IMMEDIATE ENVIRONMENT, EFFECTS SO MANY ON GARNSEY RD HAVE FACED SUCH AS HIGH RATES OF MISCARRIAGE, BRAIN TUMORS ALSO OF TORSO & HANDS, BLOOD DEFECTS, BREAST, BLADDER, & COLON CANCER, CHILDHOOD DEATHS, THYROID DISEASE, SUICIDE, NEUROLOGICAL + EMOTIONAL DISTRESS AND MORE

AND WE SHOULD COMMIT TO NEVER AGAIN NEVER AGAIN UNDER ESTIMATE THIS SEEMINGLY UN-SEEN THREAT OR OUR ABILITY TO PROTECT THE PUBLIC FROM IT.

THOUGH THIS PROBLEM MAY SEEM INSURMOUNTABLE AND LARGER THAN LIFE DOING ANYTHING LESS THAN FULL ENGAGEMENT IS FAILURE. ~~WE~~ WE WILL NEVER BRING THESE LANDS BACK TO THEIR FORMER GLORY, IF WE AIM HIGH WE CAN MAKE A DIFFERENCE. MARK CARRIER 399 GARNSEY RD

2. Richard Hagar of Garnsey Rd., Palmyra, had requested to speak about the information that was previously given to the board, as was stated above under COMMUNICATION. His concerns include the assessment of his house because of his proximity to the Old Palmyra Landfill.

3. Don Wilkins of Newark- Marion Rd., Palmyra, had requested to address the board regarding the current Solar Moratorium in Palmyra, and the 2000+ acre solar farms that are planned for Galen and Rose in Wayne

County. Mr. Wilkins stated that he feels the board should continue the moratorium on solar energy until more is understood about these farms, and use caution when considering a new local law. His concerns include leakage of hazardous materials, battery fires with the lithium batteries, the fact that the power will not be used locally, that our approximate 12,000 acres of farmland is prime agriculture and should be used as such, and that he feels that Marion has the best local solar laws. His concerns are not with the private use solar panels.

Supervisor Miller read a statement from Code Enforcement Officer Pat Sheridan that reports on the moratorium in question. It read as follows:

RE: Town of Palmyra Proposed Solar Law as Principle Use

To: Palmyra Town Board

The one-year Moratorium on Solar Energy as a Principle Use within the Town of Palmyra will expire in April 2020. I received approval February 3, 2020 from the Town Supervisor Ken Miller to send a proposed version of the Town of Palmyra's Solar Law to David Hou of Boylan Code Attorneys. David Hou responded that day, he received the information and would review and comment. I have not had further communication at this time. Thank you for your time.

*Pat Sheridan CEO
Palmyra Code Enforcement*

Supervisor Miller invited Mr. Wilkins to visit his office to discuss solar power in Palmyra.

SPEAKER

Mike Catalano from the Wayne County EMS Advisory Board reported to the board that there will be a meeting this following Thursday with the new director of Finger Lakes Ambulance, the Town of Palmyra, and himself. He stated that they did cover most of their calls in January, but that the response times are still questionable. Councilman Pipitone asked why times were not better now that they are housed at the Village Fire Department. Mr. Catalano feels they are not utilizing the space as often as they could at this point.

REPORTS OF STANDING COMMITTEES

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

1. IRM (Interim Remedial Measure) was created for the Old Palmyra Landfill by LaBella and was approved by DEC on February 21, 2020: An IRM was created by LaBella for the Old Palmyra Landfill and sent to the DEC for approval. This IRM was approved by the DEC on February 21, 2020, and is now part of the information available thru the public depositories (Palmyra Community Library and the Palmyra Town Clerk Office). Electronic copies are available and can be emailed.
(This is ATTACHMENT C)

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

1. Town Clerk Report for February:

**TOWN CLERK OFFICE
REPORT TO THE BOARD
FEBRUARY 2020**

January and February have been busy and steady with Town and County tax collection! So far, since January 1, we have collected \$4,290,704.22 of the \$5,270,814.13 tax warrant....leaving just \$980,223.60 to be collected until the final deadline of March 31st. One half of the total warrant was received in the last week of January alone!!

Through dog licensing in January, we sold 93 licenses totaling \$730.00, misc sales – FOIL requests, marriage licenses, hunting/fishing, EZ Pass (\$150.00), vital record requests, zoning etc- added an additional \$822.05. Total check disbursements for the month of January were \$1,552.05. With the town tax receipts, we have included a small mailer to remind the public that all dogs need to be licensed annually, which has already resulted in numerous “new dogs” being registered with us.

Supervisor Miller has begun loading Windows 10 on our computers. This should hold us until a decision is made as to which computer will be ordered to replace existing older ones.

I applied to the Wayne County Clerks Association for a scholarship, to use towards the Town Clerk Conference in Albany in April. The board has already approved this budgeted expense (thank you!), but I am hoping to offset some of the cost with the scholarship. As always, these meetings are very important as it is where I learn new rules, regulations, and laws that are essential to serving as Palmyra Town Clerk.

2. Audit of CFO Records: The Chief Fiscal officer's records audit was completed on February 18, 2020 by Councilmen Welch & Pipitone. (Town clerk has copy if anyone would like to review)

3. Audit of Courts: The Town Supervisor and Book Keeper completed the audit of courts on February 12, 2020. (Town clerk has copy if anyone would like to review)

4. Audit of Town Clerk & Tax Collector: The Town Clerk and Tax Collector's audit was completed on February 6, 2020 by Councilmen Cook and Lambrix. (Town clerk has copy if anyone would like to review)

5. Building Update: The town clerk sent a list of repairs needed around the Town Hall as requested by Councilman Cook. Mr. Cook and the town clerk will meet to discuss the budgeted items and order in which they need to be completed, and the clerk will then help facilitate the repairs.

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

1. Highway Department report for February:

**Highway Superintendent Report
For Town Board Meeting
02/27/20**

Since the 1/23/20 meeting we have completed the following work:

- **Plowing/Sanding** –To date this winter season we have made a total of 78 trips out of the barn.
A comparison to this point of the past 5 winter seasons is below:
 - February 2019 - 99 trips.
 - February 2018 - 90 trips.
 - February 2017 - 68 trips.
 - February 2016 - 50 trips.
 - February 2015 - 97 trips.

Other miscellaneous items include:

- **Salt Orders** – So far for the month of February we have ordered 400 tons of salt. For the winter season we have received 1660 tons of our 2600-ton allotment, or approximately 64% of our allotment.
- **Advocacy Day - CHIPs Funding** – Next week I will be attending our annual Advocacy Day in Albany on Wednesday March 4th. Our current 5-yr DOT Capital Plan has expired and the State is proposing a new 2-yr Plan including CHIPs with

no increase and the elimination of EWR program. PAVENY/BRIDGENY is proposed to continue again but at the same allotments. We are asking for a \$150M increase in CHIPs from \$438M to \$588M, and a doubling of PAVENY and BRIDGENY from \$100M to \$200M each and the continuation of the EWR Program. There are about a dozen active and retired Highway Superintendents from Wayne County planning to attend again this year.

- **Brush Mowing** – Over the past 30 days as weather has permitted, we have been brush-mowing on Schilling Road, Desmith Road, Vault Road and South Creek Road.
- **Fleet Maintenance** – Over the past 30 days we have continued with general maintenance on the entire fleet after each plow run. We have also started to bring in various 'summer'-related pieces of equipment for their annual servicing and maintenance work.
- **Hauling** – We have been hauling snow from the Village and Schools and sand as time has permitted.
- **Palmyra Municipal Auction** – The date has been set for our 34th Annual event, Saturday May 9, 2020. I intend to have the Auction Contract on the March agenda for approval.
- **Village Budget** – It's budget season in the Village and I have another budget meeting coming up soon.

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

There was a short discussion regarding the re-opening of Galloway Bridge. Mr. Boesel explained that though the state was thinking about opening the bridge temporarily, they decided to just keep it closed until the painting of the bridge is completed in a couple of weeks. There will be a significant increase in the weight allowed on the bridge when it is complete, and the Port Gibson Bridge will close for repairs when Galloway is re-opened. The board also questioned the cost and propane use this year; Mr. Boesel said he will complete those figures for the next meeting.

Town Development: IT & Phones, Fire Protection Contracts, and Strategic Plans
- Councilman Mike Lambrix

Councilman Lambrix had nothing new to report this evening.

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

1. Assessor's Office Report for February:

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
February 25, 2020**

We have been very busy this month. The deadline for filing all of our exemptions (Enhanced STAR – 1st years, Senior Citizens, Agricultural, etc.) is March 1st. This year with the 1st being on a Sunday we can take exemptions in on Monday the 2nd as well.

I will be going out soon to check/take pictures for building permits. I have also checked with Pat to see what has been completed or how much has been completed.

We have sent out reminder post cards earlier this month to those that have not returned their exemption applications for our Sr. Citizen list. Julie has been making phone calls to those on the Senior Citizen list who have not been in and also to those on our Agricultural exemption list.

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

2. Code Enforcement/Zoning Office Report - February: Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that included a list of building permits and certificates of compliance for January 21, 2020 thru February 25, 2020.

3. Current Moratorium for Town of Palmyra Proposed Solar Law as Principle Use: As discussed previously this evening, CEO Pat Sheridan provided a short communication to the board members to update them regarding the current Solar Moratorium (which will expire in April 2020), and the proposed version that is being worked on with our lawyers.

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

5. Minutes from Planning Board Meeting from February: There was no Planning Board meeting in February.

INFORMATIONAL ITEMS

1. New Owner of Palmyra Animal Hospital: Dr. Rebecca Nealey has recently purchased the Palmyra Animal Hospital located at 1215 Canandaigua Rd, across from the Palmyra Town Hall. There will be an open house on Saturday February 29, 2020 from 2- 5PM and has invited the Town Board to participate in the ribbon cutting at 2 PM.

AGENDA ITEMS

Supervisor Miller stated that though it did not need to be voted on, he wanted the board and public to know that EMS Advisory Board Member Mike Catalano will now be paid .575 cents mileage for attending the county meetings on our behalf.

1. Approve: Accept the Audits of Court, Chief Financial Officer and Town Clerk & Tax Collector: Todd Pipitone made the motion to accept the 2019 Annual Audits of the Town Court, Chief Financial Officer, Town Clerk & Tax Collector. Mike Lambrix seconded and a roll call vote was requested.

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

Motion to approve claims and expenditures: Todd Pipitone made the motion to approve claims and expenditures for the month of February 2020, Vouchers #128 thru #246, totaling \$700,973.06.

Second: Mike Lambrix Vote: 4 Ayes. Carried

Adjourn Meeting: At 7:29 PM, Todd Pipitone made the motion to adjourn the meeting.

Second: Brad Cook Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

ATTACHMENT A

**DOCUMENTATION REGARDING OLD
PALMYRA LANDFILL**

ATTACHMENT B

**LETTER & INFORMATION FROM MR.
HAGAR REGARDING HIS CURRENT
ASSESSMENT AND TAX BURDEN**

ATTACHMENT C

IRM FOR OLD PALMYRA LANDFILL

**REGULAR TOWN BOARD MEETING
PALMYRA TOWN HALL
MARCH 26, 2020**