

**HEARING AND REGULAR MEETING OF THE TOWN BOARD
Palmyra Town Hall
November 26, 2019**

The following legal notices were prepared, posted at the Town Hall and published in the Town's official newspaper:

**LEGAL NOTICE
TOWN OF PALMYRA
NOTICE OF PUBLIC HEARING**

**LOCAL LAW # 3-2019 FOR TOWN OF PALMYRA A LOCAL LAW ESTABLISHING THE
PALMYRA SEWER USE REGULATIONS AND REPEALING OF LOCAL LAW #3-1999
AND ANY ORDINANCES REGULATING SEWER USE IN THE TOWN OF PALMYRA**

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Palmyra NY on the 26th day of November, 2019 at 7:00 p.m. at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra New York to hear and consider comments from the public with regards to the proposed Local Law # 3-2019 for Town of Palmyra Establishing the Palmyra Sewer Use Regulations and Repealing of Local Law #3-1999 and any Ordinances Regulating Sewer Use in the Town of Palmyra.

Copies of the entire proposed Local Law No. 3-2019 are available for review at the Town Clerk's Office during regular business hours.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF Palmyra
Irene Unterborn, Town Clerk
Dated: November 12, 2019

**LEGAL NOTICE
TOWN OF PALMYRA
NOTICE OF PUBLIC HEARING**

**LOCAL LAW # 4-2019 FOR TOWN OF PALMYRA
A LOCAL LAW ESTABLISHING SEWER USE RENTS IN THE TOWN OF PALMYRA
AND AMENDING LOCAL LAW NO. 1 FOR YEAR 2006, LOCAL LAW NO.2 FOR YEAR
2006, LOCAL LAW NO. 1 FOR YEAR 2003, LOCAL LAW NO. 1 FOR YEAR 2000, AND
LOCAL LAW NO.4 FOR YEAR 1999.**

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Palmyra NY on the 26th day of November, 2019 at 7:10 p.m. at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra New York to hear and consider

comments from the public with regards to the proposed Local Law # 4-2019 for Town of Palmyra Establishing Sewer Use Rents In The Town Of Palmyra And Amending Local Law No. 1 For Year 2006, Local Law No.2 For Year 2006, Local Law No. 1 For Year 2003, Local Law No.1 For Year 2000, And Local Law No.4 For Year 1999.

Copies of the entire proposed Local Law No. 4-2019 are available for review at the Town Clerk's Office during regular business hours.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF Palmyra
Irene Unterborn, Town Clerk
Dated: November 12, 2019

Public Hearings: At 7:00 PM Supervisor Miller Opened The Public Hearings To Consider The Adoption Local Law # 3-2019 For Town Of Palmyra, A Local Law Establishing The Palmyra Sewer Use Regulations And Repealing Of Local Law #3-1999 And Any Ordinances Regulating Sewer Use In The Town Of Palmyra , as well as Local Law # 4-2019 For Town Of Palmyra, A Local Law Establishing Sewer Use Rents In The Town Of Palmyra And Amending Local Law No. 1 For Year 2006, Local Law No.2 For Year 2006, Local Law No. 1 For Year 2003, Local Law No. 1 For Year 2000, And Local Law No.4 For Year 1999.

OPEN PUBLIC HEARING

At 7:01 PM, the first public hearing for Local Law #3-2019 was opened, and Supervisor Miller asked that the reading of the legal notices is waved. Jim Welch made that motion.

Second: Brad Cook

Vote: 3 Ayes. Carried

PUBLIC INPUT

Supervisor Miller asked if there was any public input. Mr. Don Wilkins voiced concerns about the wording used and content of the agreement. His comments in full, are below. Mr. Miller stated that he would discuss the wording with our legal counsel.

Local Law #3 Establishing the Palmyra Sewer Use Regulations

⊗ Article I 101.3 - Legislative Findings

Residents of the town will have access to wastewater treatment. Less than $\frac{1}{4}$ of the town of Palmyra has sewers. A good share of the town of Palmyra has no municipal water, and to have access to wastewater treatment there has to be water. It should be changed to Some of the residents of the residents will have access to wastewater treatment. ~~the~~ the least services of any town - western Wayne county Palmyra has

⊗ Article I 101.4 General Purpose

To provide for the efficient, economic, environmentally safe and legal operations of the Publicly Owned Treatment works which services the Town of Palmyra and its sewer districts, districts extensions, and out of district users. This also should be changed to some of the Town of Palmyra.

⊗ Article I 101.5

To provide for equitable distribution to all users of the ~~Publicly Owned Treatment Works~~ of all costs, associated with sewage transmission, treatment, and residuals disposal and to provide for the collection of such costs.

⊗ The town budget for 2020 calls for \$45,480 for the Wayne county wastewater treatment plant, ~~and~~ and states amount to be raised by tax. Also it states \$4,563 for the joint sewer project. Do the people using public sewers pay for this or is it spread out for the whole town to absorb???

Comments continued.....

⊗ Article I 101.5 Application of Wayne County Water and Sewer Authority Amended and Restated Sewer Use Rules.

Wayne County Water and Sewer Authority Amended and Restated Sewer Use Rules adopted May 28th, 2019 by the Wayne County Water Authority Board as may be amended from time to time, shall apply to all properties in the Town of Palmyra and especially its existing sewer districts, extensions, and out of district users.

→ This also should be changed to some of the Town of Palmyra, because most people will never get sewers.

Article III Public Sewer Unavailable - Private Wastewater Disposal Required.

101.9A It shall be unlawful for any person to place, deposit, or permit to be deposited waste of any kind or nature in an unsanitary manner on public or private property in any area under the jurisdiction of the Town of Palmyra.

- ①
- ② Discharge domestic sewage on the surface of the ground or discharge it in a way that it will rise to the surface.
- ③ Discharge into any natural water course or outlet within the Town of Palmyra unless properly treated.

→ How will this be implemented and how will it be enforced. How much will this cost? Do all properties have to have mandatory inspections?

Article IV 101.15 Septage Removal

Private wastewater disposal systems utilizing a cesspool or a septic tank, septage shall be removed from the cesspool or septic tank by a licensed hauler of trucked and hauled wastes at three year intervals or more frequently if required.

→ The frequency of septic tank pumping should be determined by the owner not the town. Many waste haulers advise 5 to 6 years unless there is a undersized system or a high number of people on the premises.

How will it be implemented and who is going to truck it. This will be just another added cost to town residents.

CLOSE PUBLIC HEARING

Supervisor Miller asked if there was any further public input. He then again asked if there was anyone that would like to speak. Without any further questions or comments from those in attendance, Jim Welch made the motion to close the public hearing at 7:07 PM.

Second: Brad Cook

Vote: 3 Ayes. Carried

OPEN PUBLIC HEARING

At 7:08 PM, the second public hearing with regards to Local Law #4-2019 was opened, and Supervisor Miller asked that the reading of the legal notice is waved. Jim Welch made that motion.

Second: Todd Pipitone

Vote: 3 Ayes. Carried

CLOSE PUBLIC HEARING

Mr. Miller then again asked if there was anyone that would like to speak. Without any further questions or comments from those in attendance, Jim Welch made the motion to close the public hearing at 7:09 PM.

Second: Brad Cook

Vote: 3 Ayes. Carried

OPEN REGULAR MEETING

At 7:10 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Tuesday, November 26th, 2019, at the Palmyra Town Hall, 1180 Canandaigua Road, 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
Todd Pipitone, Councilman
Bradley Cook, Councilman

Councilman Michael Lambrix was absent.

ATTENDANCE

Also attending was: Assemblyman Brian Manktelow, EMS Advisor Mike Catalano, Marc Carrier, Don Wilkins, Bob Kelcsh (Sun & Record), Highway Superintendent Mike Boesel, and Tiffany Williamson.

REGULAR AGENDA: TOWN BOARD MEETING

Motion was made by Jim Welch to approve the minutes of the regular Town Board meeting which took place on October 24th, 2019.

Second: Todd Pipitone

Vote: 3 Ayes. Carried

Motion was made by Todd Pipitone made the motion to approve the minutes of the Special Town Board meeting which took place on November 7th, 2019.

Second: Jim Welch

Vote: 3 Ayes. Carried

COMMUNICATIONS

There were no communications for that evening; however, Supervisor Miller welcomed Assemblyman Brian Manktelow to the town board meeting.

GUEST SPEAKERS

1. Mike Catalano: Mr. Catalano said that he was still waiting the October EMS Advisory Board report. He also reported that it appears that Finger Lakes Ambulance was not taking advantage of the generous offer from the Village Fire Department to use the bay and fire department as a base. He stated that after December, when the new leadership is in place, he will reach out and speak with them.

PUBLIC INPUT

No further public input at this time.

REPORTS OF STANDING COMMITTEES**Supervision---Animal Control, Historian, Finance: Kenneth Miller,
Chairman**

1. Any Update regarding Old Garnsey Rd Landfill: Supervisor Miller reported that the record search had been completed by LaBella and was sent to the DEC. A conference call has been set for later in December, and there should be more information by the next meeting. This is a large report that covers back to the 1960's.

2. Block of Service Hours with Integrated Systems: Mr. Miller stated that he will be asking for another block of hours with Integrated Systems, same number of hours, at the same rate, later in the evening.

**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 2019

In October, the Town Clerk's office was not only focused on the end of school tax collection, ("settling up" with Pal- Mac CSD, Wayne County and Ontario County), and issuing hunting licenses, but also finding a replacement for Julie Hartman that moved to full time in the assessors office, code and book keepers office. Good luck to Julie in her new positions, and we will miss her, but we are glad her smiling face is just down the hall! There was only a couple days notice of the change, so thank you to Joan Shaffer who came in to help out in our office with short notice.

After numerous interviews... and then second and third interviews, we seem to have found the perfect fit. Sheelah Zink began working in the Town Clerk's office on November 18th and has been doing wonderfully!

Second round DMP's (first come first served doe permits) became available on Friday, November 1st, so I came in to the town hall at 7 AM to accommodate our local hunters. As for school tax collection, we ended up collecting \$15,645,806.67 of the \$16,490,920.74 total warrant. The amount earned for collecting this 2019-2020 warrant was \$18,996.01, up approximately \$500 from last year.

Through dog licensing in October we sold 57 licenses totaling \$483.00, misc sales, including marriages licenses, hunting/fishing, vital record requests, Bingo proceeds, Zoning etc – added an additional \$6,884.94. Total check disbursements for the month of October totaled \$7,367.94.

Irene Unterborn
Palmyra Town Clerk
November 19, 2019

2. Building Update: No updates at this time.

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

1. Highway Department report for November:

**HIGHWAY SUPERINTENDENT REPORT
FOR TOWN BOARD MEETING
11/26/19**

Since the 10/24/19 Town Board meeting we have completed the following work:

- **Plowing/Sanding** –To date this winter season we have made a total of 7 trips out of the barn.
A comparison to this point of the past 5 winter seasons is below:
 - November 2018 - 5 trips.
 - November 2017 - 3 trips.
 - November 2016 - 7 trips.
 - November 2015 - 2 trips.
 - November 2014 - 5 trips.
- **Inter-municipal Assistance**
 - 10/24/19 1 Palmyra truck assist WC Hwy with paving on Mill Street Marion.
 - 10/25/19 2 Palmyra trucks assist WC Hwy with paving on Mill Street Marion.
- **Personnel/Training** – On 11/5, Derick Baker returned to scheduled work. On 11/21 the crew had a free refresher training session with our Dig Safely NY representative at our shop.
- **Winter Preparations** – In the past month, all trucks were completely outfitted for the winter season. Also, last week we started installing some of our snow fence and we hope to install the remaining fence in the coming weeks as weather permits.
- **Snow Storm** - The snow storm last Monday (Veterans Day) thru Wednesday 11/11-13, dropped about 8” of snow in Palmyra. Over the course of the storm we had several issues with various hydraulic hoses on both Town and Village equipment, but we are currently back to full strength.
- **Bridge Updates** -
 - Galloway Bridge - Earlier this month I received an update on the NYS DOT ongoing bridge project. I understand they may open the bridge early, possibly in January, but would have to close it again in the Spring (possibly April) to finish painting.

- Port Gibson Bridge – Original plan is to close April thru November 2020, but this might be shifted slightly and won't start until Galloway Bridge is finished first.
- **Truck Purchase Approval** – With the recent passage of the 2020 Town Budget, I am requesting equipment purchase approval for the new 2021 Mack 6-wheel dump truck, NTE \$190,022.98, piggybacking off the Onondaga County Truck Contract. A Resolution has been provided for TB consideration tonight.
- **Hogback Hill Drainage Issue** – WC Hwy assisted in preparing and submitting a Joint Permit application to DEC back in August and on October 28th I received the DEC Permit for this work. With the early winter snow we have yet to start the project, but are hoping at a minimum to perform some clearing and prep work still this Fall.

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

The board asked Mr. Boesel if the snow fences were up, and if there was any news about the reopening of Galloway Bridge. He stated that the larger snow fences were in place, and that NYS was thinking of opening the bridge for the winter and then closing it once again to be painted in the spring. He felt that the weight limit will be in the 20+ ton range, but they need to do a final assessment before he will know for sure.

Superintendent Boesel also informed the board that he will be asking for approval to purchase a truck later in the meeting.

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

1. Email and telephone update: Mr. Pipitone stated that Bruce Cranston has all the information that he requested to move forward with programming the new phone system. Discussion ensued, and Supervisor Miller explained that none of the old phone numbers will go away even with an automated teller and email system. Mr. Miller plans to make a floor plan of all office stations that will have a phone that will be used.

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

1. Assessor's Office Report for November:

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
NOVEMBER 15, 2019**

We sent out our agricultural renewal forms early this year. I am requesting new soil group worksheets from anyone who has not had an updated sheet in the last 10 years. Going over land break down I have found some discrepancies and this is the best way to help calculate and correct the tillable acres. We are also giving information out on how new home owners need to apply for

STAR. Some of our current Basic STAR recipients are now applying for the Enhanced (Senior) STAR for their 2020 School taxes.

I am also requesting to purchase a desk for my office. This is not in my budget; however I do have enough in my budget to cover the cost. Please see attached addendum.

Please see the attached addendum for changing the contract/agreement with Thomas Reuters. This is the company that sends out law books and the updates for them.

Julie has been busy learning the ins and outs of the office. She also has been printing the update pictures. Once printed they will be attached to the property record cards in the files. She has been learning a lot in a short amount of time.

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

**ADDENDUM FOR THE ASSESSOR'S OFFICE REPORT
NOVEMBER 15, 2019**

I am requesting permission to purchase a desk for my office. I have enough left in my budget to cover the cost. (Please see attached). I did check/ask around and there is not an extra desk that I can use in my office.

Total for the above is \$289.99 (this price is as of 11/7/2019). This is the cost without being assembled. I have no issue assembling this, with a little help. Just for informational purposes assembly is an additional \$120.00.

The assessor will be asking for approval later in meeting to purchase desk extender for her office, not to exceed \$290.00, as well as permission for Supervisor to sign Law Book Agreement with Thomson Reuters, for 10 years, not to exceed \$696.00 the first year (plus 1% additional each year).

2. CEO Report for November: Code Enforcement Officer Pat Sheridan submitted a report to the Board Members prior to the meeting, including a list of building permits and certificates of compliance for October 22, 2019 through November 22, 2019.

The CEO will also be asking approval to update the Town Fee Schedule to now reflect change from a \$535.00 Sewer Hookup fee, to a \$300.00 Sewer Hookup fee.

3. Minutes from Zoning Board Meeting for November 14, 2019: Minutes from the Zoning Board Meeting from November 14th, 2019 were shared with the board.

4. Minutes from Planning Board Meeting for November 12, 2019: Minutes from the Planning Board Meeting from November 12th, 2019 were shared with the board.

INFORMATIONAL ITEMS

1. Date and time of photo for press release regarding the WCWSA Western Regional Waste Water Treatment Plant: There will be a photo op here at the Palmyra Town Hall on Wednesday Dec. 4th at 6:30 PM that will be part of a press release.

AGENDA ITEMS

1. Approve: Resolution #15-2019 To Set Hearing Date For – Local Law #5-2019 To Amend Article V Entitled “District Regulations”, And Article Vi, Section 652, Of The Town Of Palmyra Zoning Regulations By Retitling And Correcting Section References: Todd Pipitone made the motion to review Resolution #15-2019 To Set Hearing Date For – Local Law #5-2019 To Amend Article V Entitled “District Regulations”, And Article Vi, Section 652, Of The Town Of Palmyra Zoning Regulations By Retitling And Correcting Section References, as written below.

Second by Brad Cook.

Brad Cook made the motion to block agenda items #1 - #7 as they are common to set hearing dates and times, as they are all written below.

Second by Jim Welch.

Supervisor Miller asked for a roll call vote for items #1 thru #7, as they are written below.

James Welch	Aye
Michael Lambrix	ABSENT
Todd J. Pipitone	Aye
Brad Cook	Aye
Supervisor Miller	Aye

Vote: 4 Ayes. Carried

(1) Resolution #15-2019 To Set Hearing Date For – Local Law #5-2019 To Amend Article V Entitled “District Regulations”, And Article Vi, Section 652, Of The Town Of Palmyra Zoning Regulations By Retitling And Correcting Section References:

WHEREAS, the Town Board has identified the need to amend Article V and Article VI, Section 652 of the Town Zoning Regulations by retitling and correcting section references; and

WHEREAS, the Attorneys for the Town of Palmyra have submitted a draft of said Local Law to the Town Board and said draft Local Law is on file with the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Palmyra that a Public Hearing shall be had on the 26th day of December, 2019, at 7:00 PM, for the purpose of adopting Local Law #5-2019, To Amend Article V Entitled “District Regulations”, and Article VI, Section 652, of the Town of Palmyra Zoning Regulations By Retitling and Correcting Section References; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law; and be it further

RESOLVED, that the Town Clerk cause a copy of the proposed Local Law to be sent to the Wayne County Planning Board for its review pursuant to General Municipal Law Section 239-m.

(2) Approve: RESOLUTION #16-2019 TO SET PUBLIC HEARING DATE FOR– LOCAL LAW NO. #6 -2019 TO AMEND ARTICLE II, SECTION 210 OF THE TOWN OF PALMYRA ZONING REGULATIONS BY REVISING CERTAIN DEFINITIONS RELATING TO SETBACKS.

WHEREAS, the Town Board has identified the need to amend Article II, Section 210 of the Town of Palmyra Zoning Regulations by revising certain definitions relating to setbacks; and

WHEREAS, the Attorneys for the Town of Palmyra have submitted a draft of said Local Law to the Town Board and said draft Local Law is on file with the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Palmyra that a Public Hearing shall be had on the 26th day of December, 2019, at 7:05 PM, for the purpose of adopting Local Law #6-2019, To Amend Article II, Section 210 of the Town of Palmyra Zoning Regulations By Revising Certain Definitions Relating to Setbacks; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law; and be it further

RESOLVED, that the Town Clerk cause a copy of the proposed Local Law to be sent to the Wayne County Planning Board for its review pursuant to General Municipal Law Section 239-m.

(3) Approve: RESOLUTION #17-2019 TO SET PUBLIC HEARING DATE FOR- LOCAL LAW #7 -2019 TO AMEND ARTICLE VI, SECTION 628 OF THE TOWN OF PALMYRA ZONING REGULATIONS, ENTITLED "STORAGE OF TRACTORS AND ROAD MACHINERY".

WHEREAS, the Town Board has identified the need to amend Article VI, Section 628 of the Town of Palmyra Zoning Regulations; and

WHEREAS, the Attorneys for the Town of Palmyra have submitted a draft of said Local Law to the Town Board and said draft Local Law is on file with the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Palmyra that a Public Hearing shall be had on the 26th day of December, 2019, at 7:10 PM, for the purpose of adopting Local Law #7-2019, To Amend Article VI, Section 628 of the Town of Palmyra Zoning Regulations, Entitled "Storage of Tractors and Road Machinery"; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law; and be it further

RESOLVED, that the Town Clerk cause a copy of the proposed Local Law to be sent to the Wayne County Planning Board for its review pursuant to General Municipal Law Section 239-m.

(4) Approve: RESOLUTION #18-2019 TO SET PUBLIC HEARING DATE FOR – LOCAL LAW #8 -2019 TO AMEND ARTICLE VI, SECTION 640 OF THE TOWN OF PALMYRA ZONING REGULATIONS, ENTITLED “NON-CONFORMING USES, LOTS AND STRUCTURES”.

WHEREAS, the Town Board has identified the need to amend Article VI, Section 640 of the Town of Palmyra Zoning Regulations; and

WHEREAS, the Attorneys for the Town of Palmyra have submitted a draft of said Local Law to the Town Board and said draft Local Law is on file with the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Palmyra that a Public Hearing shall be had on the 26th day of December, 2019, at 7:15 PM, for the purpose of adopting Local Law #8-2019, To Amend Article VI, Section 640 of the Town of Palmyra Zoning Regulations, Entitled “Non-conforming Uses, Lots and Structures”; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law; and be it further

RESOLVED, that the Town Clerk cause a copy of the proposed Local Law to be sent to the Wayne County Planning Board for its review pursuant to General Municipal Law Section 239-m.

(5) Approve: RESOLUTION #19-2019 TO SET PUBLIC HEARING DATE FOR – LOCAL LAW #9 -2019 TO AMEND ARTICLE VI, SECTION 682 OF THE TOWN OF PALMYRA ZONING REGULATIONS, ENTITLED “UTILITY SHEDS”.

WHEREAS, the Town Board has identified the need to amend Article VI, Section 682 of the Town of Palmyra Zoning Regulations; and

WHEREAS, the Attorneys for the Town of Palmyra have submitted a draft of said Local Law to the Town Board and said draft Local Law is on file with the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Palmyra that a Public Hearing shall be had on the 26th day of December, 2019, at 7:20 PM, for the purpose of adopting Local Law #9-2019, To Amend Article VI, Section 682 of the Town of Palmyra Zoning Regulations, Entitled “Utility Sheds”; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law; and be it further

RESOLVED, that the Town Clerk cause a copy of the proposed Local Law to be sent to the Wayne County Planning Board for its review pursuant to General Municipal Law Section 239-m.

(6) Approve: RESOLUTION #20-2019 TO SET PUBLIC HEARING DATE FOR – LOCAL LAW #10 -2019 TO AMEND THE TOWN OF PALMYRA ZONING REGULATIONS BY ADDING A NEW ARTICLE IV, SECTION 605, ENTITLED “PROPERTY MAINTENANCE”.

WHEREAS, the Town Board has identified the need to amend the Palmyra Zoning Regulations by adding a new Article IV, Section 605, entitled, “Property Maintenance”, in order to adopt the prior Yard Maintenance ordinance, with additional revisions, and incorporate them into a local law; and

WHEREAS, the Attorneys for the Town of Palmyra have submitted a draft of said Local Law to the Town Board and said draft Local Law is on file with the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Palmyra that a Public Hearing shall be had on the 26th day of December, 2019, at 7:25 PM, for the purpose of adopting Local Law #10-2019, To Amend the Palmyra Zoning Regulations by Adding a New Article IV, Section 605, Entitled “Property Maintenance”; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law; and be it further

RESOLVED, that the Town Clerk cause a copy of the proposed Local Law to be sent to the Wayne County Planning Board for its review pursuant to General Municipal Law Section 239-m.

(7) Approve: RESOLUTION #21-2019 TO SET PUBLIC HEARING DATE FOR – ORDINANCE #1 -2019 TO REPEAL THE SECTION 605 “YARD MAINTENANCE” ORDINANCE OF THE TOWN OF PALMYRA ZONING REGULATIONS.

WHEREAS, the Town Board intends to adopt a local law to amend the Town of Palmyra Zoning Regulations to adopt a new property maintenance code at Section 605 of the Town of Palmyra Zoning Regulations, and thereby has identified the need to repeal the existing ordinance which codified the current Section 605 “Yard Maintenance” ordinance, the substance of which will be included in the proposed property maintenance code; and

WHEREAS, the Attorneys for the Town of Palmyra have submitted a draft of said ordinance to the Town Board and said draft ordinance is on file with the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Palmyra that a Public Hearing shall be had on the 26th day of December, 2019, at 7:30 PM, for the purpose of adopting Ordinance #1-2019, To Repeal The Section 605 “Yard Maintenance” Ordinance Of The Town of Palmyra Zoning Regulations; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law; and be it further

RESOLVED, that the Town Clerk cause a copy of the proposed ordinance to be sent to the Wayne County Planning Board for its review pursuant to General Municipal Law Section 239-m.

8. Approve: Cleaning Contract with Julie Hartman: Brad Cook made the motion to approve the Supervisor to sign the cleaning contract with Julie Hartman for weekly cleaning of Town Hall, and bi-weekly cleaning of Highway Facility, in 2020, for a sum of \$157.69 per week.

Second: Jim Welch

Vote: 3 Ayes. Carried

9. Approve: Contract: Highway Snow & Ice – 2020 with Wayne County: Jim Welch made the motion to approve the Supervisor to sign the Snow and Ice Removal Contract with Wayne County for 2020.

Second: Brad Cook

Vote: 3 Ayes. Carried

10. Approve: Humane Society Contract: Todd Pipitone made the motion to approve the Supervisor to sign the contract with the Wayne County Humane Society when it is received and is given final approval by the Animal Control Officer. There will be no changes from previous agreement.

Second: Brad Cook

Vote: 3 Ayes. Carried

11. Approve: Assessor to purchase desk extension piece, not to exceed \$290.00: Todd Pipitone made the motion to approve the Assessor to purchase a desk extension piece, not to exceed \$290.00. This is not specifically a budgeted item, but the amount is still available in her budget.

Second: Brad Cook

Vote: 3 Ayes. Carried

12. Approve: Ten Year Law Book Agreement with Thomson Reuter: Todd Pipitone made the motion to approve the Supervisor to sign ten year agreement with Thomas Reuter, not to exceed \$696.00 the first year, with 1% increase each consecutive year after the first year. The town clerk explained that with the 10 year agreement the total is \$7,281.70, without the agreement the total 10 year cost would be \$26,279.39.

Second: Jim Welch

Vote: 3 Ayes. Carried

The specific cost chart will be given to the book keeper to keep with future budgeting materials.

13. Approve: Andrew Lambrix to continue as Member of Zoning Board of Appeals: Todd Pipitone made the motion to approve Andrew Lambrix to continue as a member of Zoning Board of Appeals for a 5 year term, beginning January 1, 2020 and ending December 31, 2024.

Second: Jim Welch

Vote: 3 Ayes. Carried

14. Approve: Steve Hays to continue as Member of Board of Assessment Review: Todd Pipitone made the motion to approve Steve Hays to continue as a member of Board of Assessment Review for a 5 year term, beginning January 1, 2020 and ending December 31, 2024.

Second: Brad Cook

Vote: 3 Ayes. Carried

15. Approve: Local Law #3-2019 For The Town Of Palmyra regarding Sewer Use: Todd Pipitone made the motion to approve Local Law #3-2019 For The Town Of Palmyra, County Of Wayne, State Of New York, A Local Law Establishing The Palmyra Sewer Use Regulations And Repealing Local Law #3-1999 And Any Ordinances Regulating Sewer Use In The Town Of Palmyra. This law had been emailed to board members, as well as put in their mailboxes. Jim Welch seconded, and a roll call vote was requested.

James Welch
Michael Lambrix
Todd J. Pipitone
Brad Cook
Supervisor Miller

Aye
ABSENT
Aye
Aye
Aye

Vote: 4 Ayes. Carried

The supervisor offered to question with legal some of the wording that Mr. Wilkins mentioned earlier in the meeting.

16. Approve: Approve Local Law # 4 – 2019 for the Town Of Palmyra regarding Sewer Use Rents: Todd Pipitone made the motion to approve Local Law # 4 – 2019 for the Town Of Palmyra, County Of Wayne State Of New York Be It Enacted By The Town Board Of The Town Of Palmyra As Follows: A Local Law Establishing Sewer Use Rents In The Town Of Palmyra And Amending Local Law No. 1 For Year 2006, Local Law No. 2 For Year 2006, Local Law No. 1 For Year 2003, Local Law No. 1 For Year 2000 And Local Law No. 4 For Year 1999. This law had been emailed to board members, as well as put in their mailboxes. Jim Welch seconded, and a roll call vote was requested.

James Welch	Aye
Michael Lambrix	ABSENT
Todd J. Pipitone	Aye
Brad Cook	Aye
Supervisor Miller	Aye

Vote: 4 Ayes. Carried

17. Approve: Change in Town of Palmyra Fee Schedule: Todd Pipitone made the motion to approve the change in the Town of Palmyra Fee Schedule, from \$535.00 Sewer Hookup charge to \$300.00 Sewer Hookup charge, which now reflects the fees in Local Law #4-2019.

Second: Brad Cook

Vote: 3 Ayes. Carried

The updated fee schedule is as follows:

TOWN OF PALMYRA FEE SCHEDULE

	<u>Type</u>		<u>Application Fee</u>	<u>Additional Fee</u>
1. Town Board Public Hearing	\$175.00			
2. Zoning Board Of Appeals	\$175.00			
A. Re-zoning request	\$500.00	Plus	Engineering and additional cost to be determined and billed	
3. Planning Board Hearing	\$175.00			
A. Plot Plan Review			\$75.00 for each lot up to 4 \$45.00 each additional lot above 4	
B. Engineering Review			\$275.00 each lot up to 4 \$100.00 each additional lot above 4	
4. Building Permit Residential	<u>\$ 150.00 Escrow fee charged for each permit.</u> Fee to be refunded upon Completion of project if all inspections complete (Passed) And permit not expired.			
A. New Residence	\$235.00	Plus	\$0.10 per Sq. Foot	
1. Multi-Family		Plus plus	\$100.00 Parks and Rec. \$100.00 Parks and Rec. Per Unit	
B. Additions and Alterations	\$150.00	Plus	\$0.10 per Sq. Foot	
C. Accessory Buildings	\$75.00	Plus	\$0.10 per Sq. Foot (over 144 sq.ft.)	
Includes: pole barns, sheds, and detached garages				
D. Decks/ Covered porches	\$75.00	Plus	\$0.10 per Sq. Foot	
Three Season Rooms				
E. Misc.	\$55.00			
Includes: Swimming pools, fences, signs, septic sys, roof fireplaces (wood and gas), solid fuel burning devices, ridge frame fabric covered structures and C of O's				
F. Demolitions	\$55.00	Plus	Certificate of Insurance	

5. **Building permit Commercial** **\$ 150.00 Escrow fee charged for each permit.** Fee to be refunded upon completion of project if all inspections complete (Passed) and permit not expired.
- | | | | |
|---|----------|------|----------------------|
| A. New Construction | \$200.00 | Plus | 0.20 per square foot |
| B. Additions | \$200.00 | Plus | 0.20 per square foot |
| C. Alterations & Conversion or
Change of Occupancy | \$200.00 | Plus | 0.20 per square foot |
6. **Communication Towers (TV, Telephone, Radio, etc)**
- | | | | |
|---------------------|----------|------|--|
| A. New Construction | \$500.00 | Plus | \$50.00 per foot over 50 ft.
above ground level |
|---------------------|----------|------|--|
7. **Mobile Home Installation** \$ 75.00
8. **Park and Recreation Fund**
- | | |
|----------------------|-------------------|
| A. Minor subdivision | \$100.00 per unit |
| B. Major subdivision | \$500.00 per unit |
| C. Multi- Family | \$100.00 per unit |
9. **Junk Yard**
- | | | | |
|-----------------------|-----------|------|------------------|
| A. Start up with bond | \$1000.00 | Plus | \$50,000.00 Bond |
| B. Annual renewal | \$250.00 | | |
10. **Mobile Home Parks**
- | | | | |
|--------------------------------|-----------|------|---|
| A. Start up | \$1000.00 | Plus | \$75.00 per lot and \$800.00
Engineering fee and additional
cost to be billed |
| B. Installation of mobile home | \$75.00 | | |
| C. Annual renewal | \$100.00 | Plus | \$8.00 per lot |
11. **Mining or Gravel Pit**
- | | | | |
|----------------------------|-----------------|------|--|
| A. Start up | \$1000.00 | Plus | \$50,000.00 bond and engineering
cost to Town to be billed. |
| B. Annual renewal | \$250.00 | | |
| C. Escrow per yard removed | \$0.25 per yard | | (reserved for cleanup, may be returned) |
12. **Septic System Service**
- | | |
|-------------------|----------|
| A. Annual renewal | \$100.00 |
|-------------------|----------|
13. **Water Hookup** Determined by Wayne County Sewer and Water
14. **Sewer Hookup** \$300.00
15. **Public Assembly Inspection**
- | | |
|-----------------------------|---------|
| Fire Code Inspection | \$50.00 |
| Operating Permits | |
16. **Property Maintenance Inspection** \$35.00 Per rental unit (single, 2 family and multiple family)
17. **Building Permit Renewal (One time six month extension, prior to expiration)(escrow fee held over)**
- | | |
|----------------|---------|
| A. Residential | \$35.00 |
| B. Commercial | \$75.00 |
18. **Re-inspection fee** \$35.00 (Failed inspection, Missed appointment)
19. **Working without Required Permit** \$100.00

Fee schedule adopted January 5, 2016

Fee schedule updated November 26, 2019

18. Approve: Resolution #22-2019 for Town of Palmyra Highway Department Purchase of Dump Truck: Jim Welch made the motion to approve Resolution #22-2019 for Town of Palmyra Highway Department Purchase of one unused 2021 (or newer) Single-Axle Dump truck with outfitting, not to exceed \$190,022.98, as written below.

Second: Todd Pipitone

Vote: 3 Ayes. Carried

**RESOLUTION #22-2019
TOWN OF PALMYRA HIGHWAY DEPARTMENT PURCHASE OF
ONE UNUSED 2021 (OR NEWER)
SINGLE-AXLE DUMP TRUCK WITH OUTFITTING**

WHEREAS, the Town Board has budgeted monies in the 2020 Town budget for the upgrade and replacement of the highway department's existing 1999 Mack 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 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 2021 Model Year Mack Granite 42FR single-axle cab & chassis, priced NTE \$125,886.61; 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 \$64,136.37

NOW, THEREFORE, BE IT RESOLVED that the Town of Palmyra, shall place an order for One Unused 2021 Mack Granite 42FR single-axle dump truck from Beam Mack with outfitting by Viking-Cives for a total complete truck purchase price of \$190,022.98, 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.

19. Approve: Upgrade of the Enhanced Fund Accounting software for the Book keeper: Todd Pipitone made the motion to approve upgrade of the Enhanced Fund Accounting Software for the book keeper not to exceed \$2,495.00. The accounting software has been redesigned for Microsoft Windows 10 and the latest versions of Office/Access.

Second: Jim Welch Vote: 3 Ayes. Carried

20. 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: Jim Welch Vote: 3 Ayes. Carried

Motion to approve claims and expenditures: Todd Pipitone made the motion to approve claims and expenditures for November 2019 – Vouchers #1031 thru #1142 totaling \$162,555.56.

Second: Jim Welch Vote: 3 Ayes. Carried

Motion to Adjourn Meeting: At 7:39 PM, Todd Pipitone made the motion to adjourn the meeting.

Second: Brad Cook Vote: 3 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

Hearings and Regular Town Board Meeting
Thursday December 26th, 2019
7:00 PM - Palmyra Town Hall