REGULAR MEETING OF THE TOWN BOARD EAST PALMYRA FIRE HALL April 27, 2017

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, April 27, 2017, at the East Palmyra Fire Hall, 2145 Whitbeck Road, 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:

ROLL CALL

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

Councilman Michael Lambrix was absent.

Todd Pipitone made the motion to approve the minutes from Town Workshop on April 18, 2017.

MTN: APPROVE PREVIOUS TOWN BOARD

MINUTES

Second: Brad Cook Vote: 3 Ayes. Carried

ATTENDANCE

Also attending was: Deputy Town Clerk Heidi Jarvis, Marc Carrier, Nate Beard, John Rush, Carol and Jeffery Austin, and Highway Superintendent Mike Boesel.

ATTENDANCE

HEARING

There was no official hearing this evening.

COMMUNICATIONS

There were no communications this evening.

Reports of Standing Committees

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

- 1. Vienna Place Apartments Audited Financial Statements: The annual Vienna Place Apartments audited financial statements were provided as a courtesy to both town and village, and are available in the town clerks office for review.
- **2. NYMIR Coverage Endorsement Data Breach Form** At the last board meeting, the NYMIR Coverage Endorsement Data Breach Form was discussed and the board members were asked to contact our insurance Rep. Jackie Shaffer with any questions. Whether or not to add this additional cyber coverage will be voted on later in meeting.
- 3. Garnsey Rd Landfill Supervisor Miller called the DEC to inquire whether or not you should fill recesses with wood chips. The DEC did not think it was appropriate as the chips would quickly disintegrate and there would be recesses once again, but did recommend chipping the brush and spreading it evenly. Mr. Miller and Mr. Boesel had an earlier discussion regarding options, and the highway dept. will start filling in those indentations.

Enter Executive Session: At 7:03 PM, Councilman Welch made the motion to enter into executive session to discuss upcoming litigation.

Second: Todd Pipitone Vote: 3 Ayes. Carried

<u>Enter Executive Session:</u> At 7:09 PM, Councilman Pipitone made the motion to exit executive session.

Second: Jim Welch Vote: 3 Ayes. Carried

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

1. Town Clerk Report for April:

Town Clerk Office Report April 27, 2017

We finished the month of March having collected \$4,424,016.39 of the original Town & County Tax Warrant of \$4,893,330.65. The Town's share this year of the penalties paid was \$7,175.00.

Through dog licensing in March 2017, we sold 147 licenses totaling \$1176.00, misc sales, marriage licenses, hunting/fishing, vital record requests, EZ-Pass, zoning etc- added an additional \$4,247.93. Total check disbursements for the month of March were \$5,423.93.

Heidi and I attended the 35th Annual NYS Town Clerk Association Conference on April 24, 25 & 26, 2017 in Rochester, NY. By splitting up where we could, we were able to participate in the following: NYSTCA Annual Business Meeting, Committee on Open Government (FOIL Requests), General Session: Hot Topics and Interesting Inquiries, NYS Decals Updates and Changes, What to expect from an OSC Audit, Electronic Death Registration, Relationship of Assessor and Town Clerk, Small towns round table, Supervisory Skills, Ethics for Town Clerks, Birth Records and Duties of Clerk to Town Board.

Unfortunately, there were many other classes that I wish we could have attended, but it impossible as they occur simultaneously. We did try to grab as much written information from those other classes, but due to NYS budget restraints they did not have as much printed material. The Town Clerks will share information with each other at our next county meeting in May. A big thank you to Julie and Joan for running the office so smoothly while we were gone!

Interior signs for the Town Hall are under way; I received final plans, and asked for one more little change. Other than that, they will be in place in the next couple of weeks.

The town clerk was asked to update the board in regards to interior signage. With a few slight changes in size, the designs are well under way, and will be a bright blue with white writing. This project was budgeted for this year.

Councilman Cook added that he has received a quote from Brad Jacobs to complete the concrete work for the front entrance. The plan is to move forward by the end of May and have our highway department actually pull out all the old concrete, and have the contractor pour the cement. Mr. Cook also stated that he did receive a quote for the front doors, but it is only the first quote in writing of the couple needed to choose a contractor for the accessible front door project.

2. Animal Control Shelter: The moving of the animal control shelter to the brick shed behind the town hall seems to be a viable alternative to using the highway barn to shelter dogs, and Highway Superintendent Boesel offered to help with the upgrades to save money. The animal control officer was pleased with this proposal, and discussion will continue at a later date.

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

1. <u>Highway Department report for March:</u> Highway Superintendent Mike Boesel submitted the following report that covers March 23rd through April 27th, 2017:

Highway Superintendent Report ForTown Board Meeting 4/27/17

Since the 3/23/17 Town Board meeting we have completed the following work:

- Plowing/Sanding —To date this winter season we have made a total of 90 trips out of the barn. A comparison to this point of the past 5 winter seasons is below:
 - o March 2016 59 trips
 - March 2015 116 trips
 - March 2014 131 trips
 - o March 2013 78 trips.
 - March 2012 43 trips.
- Salt Orders To date this winter season we have ordered approximately 1865 tons of our 2800 ton allotment, which is ~78% of our requested allotment. Our sand mix barn and salt barns are currently only 1/4 full.
- CHIPs Funding/Advocacy Day As you know from my March Hwy Report, over 700 highway superintendents and vendors from across NYS attended our annual Advocacy Day on March 7-8th in Albany. Two years ago we were successful in getting \$40M extra. Last year we got \$50M extra. This year we got \$65M extra under Extreme Winter Recovery (EWR) and a \$50M increase in BRIDGE-NY Program. Therefore, the Town of Palmyra will be getting \$22,324 in EWR monies, \$26,850 in PAVE-NY monies, and \$117,631 in CHIPs.

Inspections:

- Fire Extinguishers all Hwy Dept fire extinguishers were inspected on 4/6/17 by
- Vehicle Inspections all Hwy Dept vehicles have received annual inspections thru April 2017.
- Lift Inspection our shop hoist was inspected on 4/1/16 by Filtrec and has been out of service since.
- Chainfall Inspection our annual chainfall inspections was completed today 4/27/17 by NY Crane.
- Lifting Chains all our lifting chains were inspected by Cook Iron on 4/5/17.
- o Oil/Water Separator is in the process of being scheduled.
- New Equipment Arrivals Our 2017 Bobcat S650 skid steer loader is scheduled for delivery on 5/2/17. Thank you for this new equipment!

Training/Personnel –

- 3/29/17 The entire crew attended a free Dig Safely NY training session in Victor NY.
- 4/03/17 The entire crew attended OSHA training seminar w/Macedon Hwy in Macedon.
- 4/11/17 The Town crew attended AAA Defensive Driving class at Palmyra Town Hall
- 4/25/17 The entire crew attended a free MSHA training seminar w/Wolcott/Butler at Palmyra Hwy.
- March Snow Storm From Tuesday March 14th Thursday 17th, we received over 2-feet
 of snow and the crew logged approximately 14-17 hours of overtime each. Wayne County
 Emergency Management Director George Bastedo has asked all the Towns/Villages to
 submit their storm costs for possible funding assistance. Stay tuned.
- Winter Equipment and Yard Cleanups Most of our sanders have been cleaned and put
 away for the summer. Most of our plows/wings have been taken off and readied for
 storage. Trucks are being setup for summer use. Yard cleanups around the Town are
 nearing completion. All roads have been swept. We have been cleaning up around the
 highway barn in preparation for the Auction.

- Palmyra Municipal Auction The date is coming quick: Saturday May 13, 2017. We have been preparing the grounds for our event. I have a surplus list for approval on tonight's agenda and listed below.
- Surplus List 2016 Bobcat S650, 1996 Case 4230 Tractor, 1991 Sweepster Broom attachment, rotary lights and 2009 Ford Ranger pickup (CEO truck)

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

- **2. Department of Transportation**: The investigation was completed regarding traffic conditions between 1985 East Palmyra- Port Gibson Road and Tellier Rd., relative to the establishment of a school speed limit. The Department of Transportation did not concur with the towns request for a school speed limit, but did recommend the use of signs and traffic control devices to emphasize the school area. This letter is **ATTACHMENT A.** Discussion ensued and the newer fluorescent yellow signage with "speed reduction ahead" with a 35 and arrow was recommended. Mr. Boesel offered to install any signage if the school will purchase them. Supervisor Miller will contact the school regarding this matter.
- 3. Truck Barn Project: Mr. Boesel wanted to thank the board for their diligence in working on this project, as well as Councilman Pipitone for setting up a FB page which will help get the information out to the community. He also stated that he spoke with the local newspaper and is anticipating an informative article regarding the project. Further discussion ensued regarding possible grant money that might be available. The town clerk forwarded grant information from LaBella earlier that day. Mr. Miller and Mr. Boesel will meet in the next week to contact the gentleman that spoke at the meeting that the supervisor attended earlier in the week.
- <u>4. Village Highway Contract</u> Councilman Welch received a draft of our intermunicipal agreement with the village from our legal counsel and is currently reviewing it. This contract will be for four years, and will be approved at the next board meeting.

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

1. Telephones: We are back to using our old telephone system and Mr. Pipitone is currently reassessing the needs of the employees in the town hall. He is looking into other options including that from Spectrum, but is unclear about the equipment. We did get a bill from Spectrum for highway and justice phones. Mr. Miller reached out to Integrated Systems to find out what they offer. Mr. Welch asked if we are going to receive our money back from the Astra Phone system that was returned; he stated he was still waiting final confirmation.

2. Facebook Page: Councilman Pipitone set up a town Facebook page that can be found by inquiring - Town of Palmyra NY. This will be maintained by Mr. Pipitone, and will be set up so that the highway superintendent, supervisor, and town clerk can post information when needed.

Government Operations: Assessor, Youth & Aging, Code Enforcement/Planning Board, and Justices

- Councilman Michael Lambrix - ABSENT

1. Assessor's Office Report for April:

REPORT TO THE TOWN BOARD FROM THE ASSESSOR'S OFFICE APRIL 25, 2017

We were very busy at the beginning of the month getting all the assessment changes calculated and entered into the program so that we could get our backup to the County by April 14th so they could get the roll printed and back to for filing before May 1st. That was done and the tentative roll has been sent to the County and they have printed it and two copies are now in my office. One copy is for my office and the other copy will be filed with the Town Clerk on Friday, April 28, 2017 as prescribed by law. The assessment change notices will be mailed out on Friday, April 28th also.

I have also been meeting with several property owners who want their assessments reviewed before this year's roll is finalized, as they feel that their assessments may be too high.

A notice has been sent to the Board of Assessment Review reminding them of grievance day and that I will be holding a meeting with them on Tuesday, May 2^{nd} at 7 PM in my office. At that time I will give them sale information from the last year and give them a chance to ask me any questions that they may have regarding their duties on grievance day.

As always, if you have any questions or concerns, there is normally someone in the office at all times

In Mr. Lambrixes absence, Supervisor Miller deferred to the Town Clerk to answer questions where she could.

The clerk stated that the Cornell Conference information was attached and is up for approval later.

Secondly, the pilot agreement was not a new agreement but that the Palmyra Inn was sold and is now Palmyra Hospitality and that this pilot was extended to new owner. Mr. Miller wanted to know who exactly was the "pilot police" (who made sure they were keeping their promises), and asked if they were up to date with their payments. Mr. Miller will inquire with IDA to find out this information.

As far as the topic from the board workshop on April 18th (with regards to the clerk to the assessor's office) Mr. Miller stated there would be no action taken this evening.

2. Code Enforcement/Zoning Office Report- April: 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 March 21, 2017 through April 25, 2017. Supervisor Miller invited all to read it at their leisure.

Supervisor Miller stated that as far as the village's modification of the *village* local law regarding inspections, the town is still in the process of interpreting these modifications, and that this does not effect the town law.

- 3. Minutes from Zoning Board Meeting: None provided at this time.
- **4. Minutes from Planning Board Meeting:** Minutes from Planning Board Meeting on April 10, 2017 were provided to the board for review.

Information

- <u>1. Mike Catalano EMS Advisory Report</u>: Mr. Catalano was not in attendance as there was no meeting in the month of April to report on. Supervisor Miller, did however, offer to invite the new head of Fingerlakes Ambulance to meet with the board in the future.
- **2. NYMIR Thank you:** A thank you card was received from NYMIR thanking the Town of Palmyra for hosting a backhoe seminar (90 attendees!) on March 22, 2017.
- 3. Animal Control Officer Appreciation: Wayne County chose the week of April 9-15, 2017 for Animal Care and Animal Control Officer Appreciation Week.

Agenda Items

1. Approve: NYMIR Coverage Endorsement Data Breach: Todd Pipitone made the motion to approve NYMIR Coverage Endorsement Data Breach insurance, not to exceed \$484.00 per year. Some discussion ensued. Mr. Pipitone made the motion once again to include a pro-rated amount to May 1st, 2017. A roll call vote was requested.

Councilman Welch Aye
Councilman Pipitone Aye
Councilman Cook Aye

Vote: 3 Ayes. Carried

Mr. Miller will contact NYMIR regarding this coverage.

2. Approve: Pouring of Concrete at Front Entrance of Town Hall: Brad Cook made the motion to approve Brad Jacobs and Sons Masonry to pour concrete as proposed, not to exceed \$3,950.00.

Second: Jim Welch Vote: 3 Ayes. Carried

3. Approve: Highway Surplus List for Municipal Auction: Jim Welch made the motion to approve the highway surplus of a 2016 Bobcat S650, a 1996 Case 4230 Tractor, a 1991 Sweepster Broom attachment, rotary lights, and a 2009 Ford Ranger pickup (CEO truck) to be sold at the Municipal Auction on May 13, 2017.

Second: Todd Pipitone Vote: 3 Ayes. Carried

4. Approve: Clerk to the Assessor to Attend Cornell Conference: Todd Pipitone made the motion to approve clerk to the Assessor to attend Cornell Conference July 16-21st, 2017, not to exceed \$1,480.00, including course fee, meals and mileage. Discussion ensued including whether or not this was budgeted for and if it was necessary to become an assessor. Mr. Pipitone again made the motion and a roll call vote was requested.

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

Not Carried

Per Association of Towns State legal counsel, this does not pass as an absentee councilperson is a nay vote.

5. Approve: Resolution #10-2017 for Special Town Referendum: Jim Welch made the motion to approve #10-2017 for a Special Town Referendum of the Town of Palmyra to Approve Construction of a new Town Highway Storage Facility, not to exceed \$610,000.00, with authorization to issue Capital Notes not to exceed \$160,000.00.

Second: Todd Pipitone Vote: 3 Ayes. Carried

Resolution #10-2017 for a Special Town Referendum of the Town of Palmyra to Approve Construction of a new Town Highway Storage Facility

A resolution providing for the holding of a Special Town Referendum of the Town of Palmyra, Wayne County, New York, for the approval to construct a new Town Highway Storage Facility at a cost not to exceed \$610,000.00 and authorization to issue Capital Notes not to exceed \$160,000.00.

Whereas, the Town Board of the Town of Palmyra has heretofore determined that there is a need for a new Town Highway storage facility for the Town Highway Trucks and equipment, and;

Whereas, the Town acting as lead agency under the State Environmental Quality Review Act and the applicable regulation promulgated there under, has completed its environmental review and has determined that it is a Type 2 action and the implementation of the action proposed will not result in any significant adverse environmental impacts; and

Whereas, the Town Board on March 23, 2017 did adopt a resolution authorizing that a Proposition authorizing the evaluation of the Town Highway Storage Facility the Town Complex at 131 Kent Street, Palmyra New York be constructed at a cost not to exceed six hundred and ten thousand dollars (\$610,000.00) of a special election to be held in May of 2017; and

Whereas, the Town intends to take advantage of new legislation authorizing the town to purchase based on best value (§103); and

Whereas, attached hereto is an abstract of the purposed cost of the Storage Facility; and

Whereas, the Town purposes to expend Four Hundred Fifty Thousand (\$450,000.00) dollars of unexpended balance in the existing Part Town Account; and

Whereas, the Town purposes to issue a Capital Note in the balance of the cost not to exceed One Hundred Sixty Thousand (\$160,000.00) to be paid over five years; and

Whereas, the Capital Notes will be amortized by rental income from hosting the Annual Town Equipment Auction; and

Whereas, the town proposes to pay any other costs of the Capital Notes from taxes to be raised in each of the five years; and

Whereas, the Town Board has authorized a Public Hearing to be held on May 9, 2017 at 7:30pm at the Town Highway Complex at Kent Street, Palmyra, New York.

Now therefore be it resolved, by the Town Board of the Town of Palmyra in the County of Wayne, New York as follows.

Section 1. A Special Referendum shall be held on May 23, 2017 at the Palmyra Village Fire Hall at noon, and the poll shall remain open until 9:00pm or as much longer as may be required to enable the voters present at 9:00pm to cast their votes.

Section 2. The Town Clerk shall cause a notice of such Special Referendum to be published at least once in the Times of Wayne County, Inc., a newspaper having a general circulation in the town and hereby designated as the official newspaper of the Town and to be posted on the sign board of the Town maintains, pursuant to subdivision 6 of section 30 of the Town Law. Said publication and posting to be at least ten (10) days before any Referendum.

Section 3. The Town Clerk is hereby authorized and directed to include in the notice of the said Special Referendum the 2 Propositions for approval or disapproval of the Propositions, hereinafter referred to in said notices.

Section 4. At said Special Referendum, the vote upon each proposition shall be by separate ballot or voting machines at and the only persons qualified to vote shall be any person qualified to vote at a general Town election.

Section 5 Said notice shall be substantially in the following form.

DATED: April 27, 2017

6. Approve: Resolution #11-2017 Authorizing Borrowing on Capital Note: Jim Welch made the motion to approve Resolution #11-2017 Authorizing the Borrowing of One Hundred Sixty Thousand Dollars (\$160,000.00) on a Capital Note.

Second: Todd Pipitone Vote: 3 Ayes. Carried

#11-2017 Authorizing the Borrowing of One Hundred Sixty Thousand Dollars (\$160,000.00) on a Capital Note

WHEREAS, the Town has authorized the construction of an 11,000 square foot Highway Storage Facility for a sum not to exceed Six Hundred Ten Thousand Dollars (\$610,000.00); and

WHEREAS, the Town has scheduled a mandatory referendum on May 23, 2017 to be held as a Special Election; and

WHEREAS, the Town will need to borrow on a Capital Note a sum of money not to exceed One Hundred Sixty Thousand Dollars (\$160,000.00) to be amortized over a period of five years; and

WHEREAS, the Town may borrow the money if the project is approved at the Special Election; and

WHEREAS, the Town is adopting this resolution subject to the approval of the voters at the Special Election to be held on May 23, 2017.

NOW, THEREFORE, be it resolved that the Town of Palmyra shall borrow up to One Hundred Sixty Thousand Dollars (\$160,000.00), To be used to complete the proposed 11,000 square foot Storage Facility. The Capital Note should be amortized over five years. The Capital Notes should be paid by rental income set within the budget each year to pay the cost of the Capital Note; and

BE IT FURTHER RESOLVED, that this resolution shall be submitted to the voters at a Special Election to be hold on May 23, 2017 and be further resolved that based on a positive vote, the authorizing construction of the Highway Storage Facility and the authorizing of the Capital Notes not exceeding One Hundred Sixty Thousand Dollars (\$160,000.00) the Town Officers shall execute out the necessary document to obtain the funds for the Capital Note, and be it further resolved, that although it's not necessary to submit the proposition to the electors, the Town Board is proceeding to subject this to a vote to promote transparency.

DATED: April 27, 2017

7. Approve: Resolution #12-2017 Establishing a Special Meeting of the Town Board of the Town of Palmyra: Brad Cook made the motion to approve that the Town Board of the Town of Palmyra, New York shall hold a Special Town Board meeting at the Town Highway Complex, located at 131 Kent Street, Palmyra, New York, on May 9, 2017 at 7:30pm, for the purpose of explaining, detailing the method, receiving comments, and to make decisions regarding the highway barn project.

Second: Todd Pipitone Vote: 3 Ayes. Carried

<u>Resolution #12-2017 Establishing a Special Meeting</u> of the Town Board of the Town of Palmyra

Whereas, the Town Board of the Town of Palmyra has approved the construction of a Town Highway Facility subject to the approval by the votes of the Town; and

Whereas, the Town Board has conducted an information meeting at the Town Complex 131 Kent Street, Palmyra and where the town board desires to hold a public hearing so that all interested parties may be heard on the proposition to build a new Town Highway Storage Facility; and

Whereas, the Town has worked diligently to secure the "best value" for the people of the Town; and,

Whereas, the Town is prepared to explain the need for the Town Highway storage Facility, the estimated cost, how the building will be financed; and

Whereas, the Town Board is prepared to discuss the prepared proposition in detail for all those that are interested; and

Now, therefore, be it resolved, that the Town Board of the Town of Palmyra, New York shall hold a Special Town Board meeting at the Town Highway Complex, located at 131 Kent Street, Palmyra, New York, on May 9, 2017 at 7:30pm.

Be it further resolved, for the purpose of explaining the proposed construction and detailing the method of financing and receiving comments on the project, and be it further result that the Town Clerk shall publish the results of the special meeting in the Times of Wayne County, Inc., and post a notice on the official bulletin board of the Town.

DATED: April 27, 2017

8. Approve: Resolution #13-2017 Special Election to be Held on May 23rd, 2017: Todd Pipitone made the motion to approve Special Election to be held on May 23rd, 2017, at the Palmyra Village Fire Hall, Noon until 9 PM, to include the following two propositions.

Second: Brad Cook Vote: 3 Ayes. Carried

Resolution #13-2017 Town of Palmyra New York Notice of Special Election to be Held on May 23, 2017

Notice is hereby given, that a Special Election will be held on May 23, 2017 at the Palmyra Village Fire Hall, located on 615 East Main Street, Palmyra, NY, in said town and any person qualified to vote in a general town election shall be eligible to vote. The polls shall remain open from noon on May 23, 2017 until 9:00 pm Prevailing Time, or such longer time as necessary to make voters then present to cast their ballots on the following described preposition.

Proposition no. 1

Shall the Town Board <u>Resolution #9-2017</u>, dated March 23, 2017 authorizing the construction of a Town Highway Storage facility costing more than \$500,000.00 but not to exceed \$610,000.00 be approved, with the cost to be paid by the use of the funds from the unexpended balance not to exceed \$450,000.00, and by Capital Note?

Proposition no. 2

Shall the Town Board resolution authorizing the issue of Capital Notes in an amount not to exceed \$160,000.00 to pay for a portion of the cost of the Town Highway Storage Facility be approved? The Capital Notes shall be amortized over five years. The Capital Notes together with the interest there on shall be paid by rental income and an amount budgeted in the Town Budget each year.

Yes or No

Be it further resolved, that a copy of the Town Board's <u>Resolution #9-2017</u> authorizing the construction of a Town Highway Storage Facility is on file with the Town Clerk's office at 1180 Canandaigua Road Palmyra, NY, where the same may be examine by any interested person during regular business hours.

DATED: April 27, 2017

<u>Motion to approve claims and expenditures:</u> Todd Pipitone made the motion to approve claims and expenditures for the month of April 2017-Vouchers #6671 thru #6791, totaling \$147,015.45.

Second: Brad Cook Vote: 3 Ayes. Carried

<u>Motion to Adjourn Meeting</u>: At 8:03 PM, Todd Pipitone made the motion to adjourn the meeting.

Second: Jim Welch Vote: 3 Ayes. Carried

Respectfully submitted,

Irene Unterborn Town Clerk

Regular Town Board Meeting
Thursday May 25, 2017
7:00 PM – PALMYRA TOWN HALL