

**HEARING & REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
January 26th, 2023**

At 7:00 p.m., Supervisor Miller called to order the Town Board meeting and public hearing, scheduled for Thursday, January 26th, 2023, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

HEARING

The following is the legal notice that had been printed in the Town's official newspaper, *The Times of Wayne County*, and posted on the Town Hall's bulletin board before the hearing, in accordance with law.

LEGAL NOTICE

PUBLIC HEARING FOR

LOCAL LAW #1-2023 ADOPTING A COLD WAR VETERANS TAX EXEMPTION

WHEREAS, the ***Local Law #1-2023 Adopting a Cold War Veterans Tax Exemption*** is a proposed law to grant Cold War Veterans who meet the requirements set forth in Sec. 458-b of the New York Real Property Tax Law with real property tax exemption.

WHEREAS, a Public Hearing is required by law,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Palmyra, Wayne County, will meet at Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York, on the 26th day of January, 2023 for the purpose of considering this local law at 7:00 PM, at which time and place the Palmyra Town Board will consider such proposed exemptions and all persons interested in same.

AND BE IT FURTHER RESOLVED that the Town Board will, at said times and place, hear all persons in favor of, or against, items within said local law. Interested persons may be heard in person, by attorney or agent, or in writing.

DATED: January 5, 2023

BY ORDER OF THE PALMYRA TOWN BOARD

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
Brad Cook, Councilman
Todd Pipitone, Councilman
Doug DeRue, Councilman

Todd Pipitone made the motion to wave reading the legal notice.

Second: Brad Cook Vote: 4 Ayes. Carried

OPEN PUBLIC HEARING

OPEN PUBLIC HEARING FOR - LOCAL LAW #1-2023 ADOPTING A COLD WAR VETERANS TAX EXEMPTION

At 7:00 Pm, Supervisor Miller made the motion to open the Hearing for the Local Law #1-2023 Adopting A Cold War Veterans Tax Exemption

Second: Brad Cook Vote: 4 Ayes. Carried

Supervisor Miller asked those in attendance three times if there were any questions or comments. At 7:02 PM, as there were no questions, Todd Pipitone made the motion to close the hearing.

Second: Brad Cook Vote: 4 Ayes. Carried

REGULAR MEETING

Todd Pipitone made the motion to approve the minutes from the Hearing and Regular Town Board meeting on December 22, 2022 .

Second: Doug DeRue Vote: 4 Ayes. Carried

Todd Pipitone made the motion to approve the minutes from the Organizational meeting on January 3, 2023.

Second: Brad Cook Vote: 4 Ayes. Carried

ATTENDANCE

Also in attendance: Michael Jaromin, Chuck & Julie Hartman, Don Wilkins, Marc Carrier, Dean Heckman, Jeremy Bedette, and Highway Superintendent Mike Boesel.

GUEST SPEAKER

Mike Catalano, our representative from the Wayne County EMS Advisory board, was unable to attend as the ambulance company was shorthanded.

COMMUNICATIONS RECEIVED

The Town of Palmyra received a thank you letter from Mercy Flight for the \$500.00 donation that was made.

PUBLIC INPUT

Marc Carrier, Garnsey Rd resident, addressed the board with regards to the old "landfill and concerns to the clean out of the Former site of O' Meal Tractor".

Mr. Carrier read the following statement to the Town Board:

MARC CARRIER
 579 GARNSEY Rd.
 Palmyra NY 14622

1.26.2023 10F3

TO: PALMYRA TOWN BOARD
 C/O CLERK PLEASE DISTRIBUTE
 TO EACH MEMBER.

SPEAK TO 2 TOPICS -

- PALMYRA LANDFILLS
- EAST PALMYRA PROPERTY (250 LYONS RD.)

PROBLEMS, FORMER O' MEAL TRACTOR THIS PROPERTY NOT ONLY AND
 BEEN CONTAMINATED BUT RECEIVED SPECIAL PERMITS FOR A NON-CONFORMING USE
 IN 1980

I MARC T. CARRIER AM A WITNESS TO THE TOWNS OPERATIONS
 AT THIS PROPERTY ON LYONS ROAD AND TO THE ADOPTION OF
 THIS ZONING CODE 605 THAT ~~WAS~~ ^{WAS} ~~ADOPTED~~ ^{ADOPTED} AND GIVEN AUTHORITY
 FOR TOWN HIRING CONTRACTORS TO "CLEAR" PROPERTY.
 KEEP IN MIND JUDGE HEALY'S DECISION BEING ACTED ON
 STATED BRING INTO COMPLIANCE, ~~IT~~ MUCH DIFFERENT THAN
 "CLEARING", I MIGHT ADD. IN 2019 DURING THE HEARINGS
 THAT PASSED THIS CODE AND SEVERAL OTHERS NEAR CHRISTMAS
~~IN~~ DECEMBER, IN AN EFFORT TO CORRECT CURRENT
 LAWS BEING USED PRIOR WERE FOUND TO BE VOID AFTER
 CHALLENGES, THIS AND OTHERS TO BE ADOPTED WERE HELD
 AS UNCONSTITUTIONAL ON IT'S FACE. YET FINES FOLLOWED IMMEDIATELY
 AFTER FOR THIS AND A FEW OTHER PROPERTIES, CITATIONS THAT
 WERE SUPPOSED TO BE RECALLED EACH WEEK NOT ONCE AND ADD
 UP A YEAR AND A HALF OF WORKS FOR A DECEIVING NUMBER.
 I HIGHLIGHT THE SAME CODE THAT STATE A PROPERTY OWNER
 AFTER RECEIVING ^{CITATION} FROM CEO, THE BOARD WOULD NEED TO SUMMONS

2 OF 3

PROPERTY OWNER FOR A HEARING, BEFORE TAKEN
 SUCH EXTREME MEASURES. WHICH TERMS WERE ALSO
 Laid OUT IN HEALY'S ~~ORDER~~ ORDER WHICH IF CONTRACTING
 (WORK WAS OVER A CERTAIN DOLLAR AMOUNT IT WOULD
 HAVE TO GO OUT FOR "OPEN" BID, THAT IS NOT HAND PICKING
 A FEW NAMES AND EMAILING WITH THEM, WHICH AFTER
 A FOL REQUEST, WE NOW KNOW HOW THAT WAS HANDLED
 BY THE TOWN OF PALMYRA REPRESENTATIVES, THIS AMOUNT
 BID IF I UNDERSTAND OF \$25,000 IS AN AGREEMENT
 SAID. GIVEN I WAS ON-SITE THE "DAY" THE CLEAN-UP
 STARTED, AND WAS MOSTLY DONE. HAD ANYONE ACQUIRED
 FROM TIME OF QUOTE TO CLEAN-UP WHAT WAS REMOVED?
 I ASKED TO KEVIN WRIGHT THE MORNING HE STARTED, I ASK
 HIM HAD HE READ THE ORDER? HE SAID "NO" I ASK
 HOW DOES HE KNOW WHAT TO REMOVE, HE SAID "WHATEVER
 I'M TOLD" I ASK BY WHO? PAT SIERGIAN.

THERE WAS AMONG MANY OTHER THINGS ON THE PROPERTY
 THAT WERE REMOVED THAT NEITHER BROUGHT HIM "IN" OR OUT
 OF COMPLIANCE. I.E STACK 6 INCHES OF METAL CORRUGATED
 SHEETS ON THE FLOOR OF THE OPEN FACE BLDG. NOT VISIBLE
 FROM ROAD OR NEIGHBORS HOUSE VIOLATION?

3 OF 3

I UNDERSTAND THIS BLDG REMOVED FOR VIOLATION
 OF TITLE 18 USC SECTION 841 + 842 UNDER COURSE
 OF LAW.

~~Palmyra~~ PALMYRA LANDFILL, QUESTIONS POSED MOST
 RECENTLY TO NYSDEC AS TO CLARIFICATION ~~to~~
~~to~~ HAVE BEEN LEFT UNANSWERED BY MANAGER
 BRITNEY DRAKE GREEN. WITH HER LEAVING THESE
 TO THE TOWN OF PALMYRA. * I.E REPORT STATES
 HOMES WITHIN 1/2 MILE HAVE PUBLIC WATER.
 WHAT ARE THE MANY RAMIFICATIONS IF THAT.
 I ASSESSED PROPERTY VALUE, WITH THIS AS
 CONSIDERATION AND WAS TOLD BASICALLY UN-PROVEN.
 MANY QUESTIONS OUTSTANDING.

IT WOULD SEEM THIS TOWN'S HIGHEST EXPENSE
 IS PAYING MULTIPLE LAW FIRMS TO DEAL WITH
 MESSSES THEY MAKE OR COMPOUND.

PRESENTED & SUBMITTED
 @ JANUARY 26, 2023
 PALMYRA TOWN BOARD
 MEETING.

Mark Quinn
 Marc Corrigan

Supervisor Miller read the following in response to Mr. Carrier's statement:

"Property in East Palmyra:

2351 Lyon Road

The Town of Palmyra has executed a court order to get the property put into compliance after giving the owner several opportunities to comply with the court order on their own. All of this has been documented..

Property in Palmyra:

Old Town Landfill. (Garnsey Road)

The Town of Palmyra is working with the NYSDEC office in Avon. The DEC is providing guidance and oversight on all actions taken in this area. It is an ongoing program that has been documented."

BOARD NOTE:

The following statement is now to 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. Assign Audit Teams:** Supervisor Miller assigned the following audit teams: Town Clerk/Tax Collection – Brad Cook and Jim Welch, Justice – Ken Miller and Doug DeRue, Bookkeeper – Todd Pipitone and Brad Cook. The town clerk shared the state forms with the board members. These audits are to be completed before the regular February meeting.

- 2. Internal Audit of Town and Village Justices:** A copy of the Justices must be provided to the Unified Court Systems Internal Audit Office by March 1, 2023.
- 3. LaBella Professional Services Agreement Regarding Old Landfill:** A proposal for the Landfill Closure Investigation for the Old Palmyra Landfill on Garnsey Rd. was received, and is attached. This agreement includes a description of service, compensation for service, term, insurance, and indemnification. Supervisor Miller said he would like to vote on this this evening.
- 4. Vienna Street Apartments:** Mr. Miller reported that our town attorney was still waiting for a final draft of the agreement, and that we should expect it to be on the agenda at the regular February meeting.
- 5. WWTP Meeting:** Supervisor Miller attended the meeting at the WCWSA regarding the WWTP. The project should start soon, and the order of the construction will be Marion, Walworth, Macedon and lastly Palmyra. He stated that the costs of construction has increased dramatically, but that is still better than each town building separate plants.

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

1. Town Clerk Report for January:

**TOWN CLERK'S OFFICE REPORT
JANUARY 2023**

Through dog licensing in December, we sold 37 licenses (\$338), marriage licenses; EZ Passes, hunting/fishing, vital record requests, FOIL requests, miscellaneous sales and escrows & code enforcement, etc- added an additional \$2,946.15. Total check disbursements for the month of December were \$3,284.15.

All four Petty Cash drawers were balanced to the penny and the memo is included with this monthly report. I balanced clerk's checkbook, tax accounts, and all year end bank statements. The comptroller recommended audit check lists will be distributed to the board members this evening to be used for the audits of each department. These will be reported on at the regular February board meeting.

We are focused in January on tax collection as well as organizing and sorting thru files to be destroyed, we have also had quite a few time-consuming FOIL requests this month.

So far this month, we have collected \$1,031,476.49 of the \$5,930,022.53 tax warrant. We will expect an additional 1/2 of the warrant to be paid in the next few days by the mortgage companies, before month end!



MEMO TO: Palmyra Town Board
FROM: Irene Unterborn, Town Clerk/Tax Collector
DATE: January 18, 2023
RE: Reconciling of Town Clerk Funds

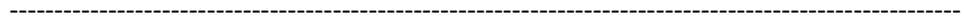
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Anticipating the annual request of the Town Board, the following collection drawers (cash used for change, etc) were reconciled on January 05, 2023:

Town Clerk drawer currently has \$100.00 (is also reconciled daily at closing)

Water Collection drawer currently has \$100.00 (is also reconciled at least twice weekly, before deposits)

Tax Collection drawer currently has \$100.00 (is also reconciled daily during both School and Town/County tax collection)



Petty Cash Fund also has \$200.00 allocated. This money is locked in a drawer at the office, and used only when incidental cash purchases have been made (such as postage when sending something by certified mail or Thruway tolls to and from an approved seminar, etc.). Each paper receipt is kept when cash is dispensed. A voucher is prepared twice a year—or more often—if cash gets low. This voucher itemizes all receipts and what department is to be charged for the cost.

On January 05, 2023 the Petty Cash drawer contained \$200.00 in cash (we just received re-imbusement check from town), equaling the \$200.00 allocated for the Petty Cash Fund.

2. Audit Forms: Audit forms will be supplied by the clerk once the Supervisor assigns the annual audit teams.

3. Building Update: Andy Jacobs will be clearing snow and ice for us at the town hall. This includes shoveling and salting the main entry from parking lot, clearing steps and ramp. Also, on the South side, he will shovel and salt the ramp and adjacent sidewalk. The cost will be \$88 per trip, and includes \$3,000,000 combined insurance coverage. Approval will be added to the agenda items.

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

1. Highway Department report for January:

**HIGHWAY SUPERINTENDENT REPORT
FOR TOWN BOARD MEETING
1/26/23**

Since the 12/22/22 Town Board meeting we have completed the following work:

- **Plowing/Sanding** –To date this winter season we have made a total of 21 trips out of the barn.
A comparison to this point of the past 5 winter seasons is below:
 - January 2022 – 43 trips.
 - January 2021 – 39 trips.
 - January 2020 - 50 trips.
 - January 2019 – 60 trips.
 - January 2018 - 69 trips
- **Brush Mowing/Tree Work** – This month we completed Walker and Cole Roads. We will continue in the northwest quadrant as weather permits. Additionally, we had another high wind event in late December that required roadside cleanups along several roads: Trolley, Walker, Floodman, Hogback, Port Gibson, Jagger, Shilling, Goldsmith, Harris and Vault Roads.
- **Salt Orders** – So far for the month of January we have ordered 300 tons of salt. For the winter season we have received 519 tons of our 2600-ton allotment, or approximately 20% of our allotment.
- **Fleet Maintenance** – The mild winter has allowed us to bring in several pieces of ‘summer’-related equipment for maintenance earlier than normal. We will continue with this annual servicing and maintenance work.
- **Sign Replacement Project** – As the weather remains cooperative, we are embarking on a sign replacement project for most of the road signs on our Town roadways. Many of our signs have lost their reflectivity and need replacement. Sign expenditures are CHIPs eligible and I will be using these funds for this project. We are starting in the northwest portion of the Town, and working clockwise around the town. We are hoping to complete this project over the next 3 months.

- **Personnel –**
 - Bill Austin had been out since 10/12 but returned this week, on Tuesday 1/23.
 - Mary Beth Braman, started as Highway Clerk with us on Tuesday 1/3. Sandy Farbizio's last day was 12/31, but she has continued to assist with training, as needed, throughout the past month.
- **Highway Dept Issues:**
 - **Office/Breakroom Heat** – The boiler in the office/breakroom continues to be a nuisance. Since the last TB meeting, in late December, we pumped out the bottom of the fuel tank and removed a fair amount of water and some sediment. Today we pressure tested the line and blew air thru it. The fuel appears cleaner now. The unit was running when we left the office today. Stay tuned.
 - **Phone System** –Last month the TB approved a quote for phone service from Integrated Systems to provide VOIP phone service to the Highway Department. However, since then, I have been working with Cathy Contant to replace the Spectrum modem, Router and Exchange, to get the phones working again. I'm happy to say our phones are now working.

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

Mr. Boesel also attended the WWTP meeting, and explained that Palmyra is last as they are working their way towards us with the piping. They use 50 Foot pipe, and a 2nd crew will have to bore 20 feet under the canal. There will be a new website with all the newest information when they get started.

He also spoke about a side project he is looking to do: a 96" x 18 ' x 17' three sided building to keep some of the equipment out of the weather.

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

1. Strategic Plan: Mr. Pipitone had nothing to report at this time.

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

1. Assessor’s Office Report for January:

JANUARY REPORT TO THE TOWN BOARD
 FROM THE ASSESSOR’S OFFICE
 January 19, 2023

At the end of December 2022, the Governor signed into law an amendment to the Low-income Senior Citizen exemption. This requires a second notice to be mailed to ALL residential properties 30 days before the filing date (March 1st). **This was not an anticipated expense and therefore was not budgeted for.** This was not heard of by assessors until October 2022. I have attached a copy of the law as amended. I have decided to do this as a post card mailing as it will be much less expensive than sending out letters.

STATE MANDATE:

Requiring a Second copy of Notice for LOW INCOME SENIORS to be sent 30 days prior to filing deadline (March 1st). To be sent to ALL residential properties

Residential parcels	post card postage	# packs of post cards	cost for post cards	Total cost
2,272	\$0.44			\$999.68
		12	\$25.00	\$300.00
Total cost for post card mailing				\$1,299.68

vs.

Postage for actual letter mailing:				
2272	\$0.57			\$1,295.04*

*This does not include the cost of paper or envelopes only post cards.

The 2,272 is the total number of residential parcels. The number of cards mailed will be less than this as I will not be sending cards to properties that are not owner occupied.

Non-profit and Low-income disabled exemption forms were mailed out to be returned on or before March 1, 2023. As mentioned last month we sent out the Agricultural renewals and the Low-Income Senior renewals the beginning of December. These are now starting to be returned.

So far we have had the following returns:

Exemption returns	
	Thru January 16th
Agricultural	41
Senior Citizen	19
Non Profits	6
Enhanced STAR	19
Total	85

As you know the Sr. Citizens exemption now requires the same income as the Enhanced Star (2021 for this year)). This is causing some confusion with our seniors. If they bring in 2022 income, we are copying that and keeping it in our files for next year. Hopefully this will cause less confusion next year.

At the end of December 2022, the State send out Enhanced STAR and IVP forms to those that are at least 65 years of age and only have the basic STAR. They are hoping this will inform more taxpayers of the Enhanced STAR program. Any of these that are returned are in addition (sometimes a duplicate) to those that have been picked up or sent out from our office. This also adds additional work in the form of answering questions and entering the data into the states system.

So far, we have had 7 (seven) of these returned. This is in addition to the STAR exemption applications sent out or picked up at our office.

In addition we have had quite a few people with questions about the Senior Citizens exemption as well as the Enhanced STAR since the Town and County tax bills have gone out. The Enhanced STAR exemption/credit limit for income is \$93,200 (this is the 2021 adjusted gross income). The senior Citizens exemption is only for those with low income. The income limits are as follows (income must fall below the limits): Pal/Mac school, \$26,900; Palmyra (town & Village), Wayne County \$24,500 (this is an increase for the 2023 roll); Newark School, \$21,900 and Marion School is \$17,725. All Schools require the owner(s) to be 65 by March 1st and the Town, County and village the owner(s) must be 65 by December 31st.

The following are the sales/transfers for the month of November & December:

November 2022 Sales/Transfers						
MAP #	HS #	STREET		SALE \$	SALE DATE	TAV 2022
64111-10-326649	105	Hyde	**	\$1	11/23/2022	\$159,700
64111-10-428622	156	Stafford	**	\$50,000	11/1/2022	\$128,300
64111-10-472589	330	W Jackson		\$125,000	11/11/2022	\$163,600
64111-10-482627	321	W Jackson	**	\$170,000	11/2/2022	\$142,500
64111-11-555560	225	Birdsall		\$137,000	11/1/2022	\$139,000
64111-11-593645	134	Washington		\$149,900	11/22/2022	\$165,000
64111-11-612568	125	Brookside	**	\$120,000	11/18/2022	\$145,800
64111-12-752620	158	Fayette		\$158,000	11/14/2022	\$89,500
64111-15-600492	177	Sunset		\$151,900	11/29/2022	\$143,300
64111-15-714294	1211	Rolfe	**	\$1	11/1/2022	\$143,100
64112-19-537092	1835	Maple		\$155,000	11/27/2022	\$170,200
65111-00-787944	3953	N Creek	**	\$1	11/17/2022	\$173,100
65111-00-839675	4008	Route 31		\$270,000	11/1/2022	\$216,700
66111-00-653708	1515	Port Gibson		\$430,000	11/17/2022	\$310,300
66111-00-685714	1527	Port Gibson		\$245,000	11/22/2022	\$161,800
66112-00-118974	2550	Harris	**	\$276,000	11/29/2022	\$245,400

66112-00-123948		Harris	**	Included in above		\$31,400
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December 2022 Sales/Transfers						
MAP #	HS #	STREET		SALE \$	SALE DATE	TAV 2022
64111-10-388704	423	W Main	**	\$145,000	12/7/2022	\$144,500
64111-10-407706	409	W Main	**	\$100,000	12/5/2022	\$123,800
64111-11-553683	214	W Main		\$150,000	12/16/2022	\$156,100
64111-11-659741	138	Church		\$280,000	12/8/2022	\$217,700
64111-11-732676	240/1/2	E Main		\$590,000	12/13/2022	\$7,100
64111-11-737681	244	E Main		Included in above		\$407,900
64111-11-733566	227	Fayette	**	\$95,000	12/12/2022	\$101,600
64111-16-954362	3550	E Foster		\$245,000	12/1/2022	\$196,500
64111-00-370433	2904	W Foster	**	\$160,000	12/1/2022	\$151,400
64111-00-591261	1169	Route 21 S	**	\$90,000	12/22/2022	\$132,900
64112-19-589180	1901	Meadow		\$155,000	12/1/2022	\$145,500
64113-00-968855	3231	Parker		\$215,000	12/5/2022	\$234,200
65111-00-152844	2980	N Creek		\$325,000	12/14/2022	\$304,900
65111-00-200832		N Creek		included in above		\$12,900
65113-00-446782	3181	Route 21 N	**	\$70,000	12/16/2022	\$97,000
65113-00-432791		Route 21 N	**	included in above		\$17,100
66110-00-687937	939	Floodman	**	\$1	12/1/2022	\$211,700
66112-00-656427	4672	S Creek	**	\$45,000	12/1/2022	\$76,000
66113-00-248773	3177	Jagger		\$300,000	12/1/2022	\$208,300

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

Also, please note that Councilman DeRue is conducting interviews with four candidates for the Board of Assessment Review, and would also like to look for (2) alternates for that board. These alternates would be trained so that they can become members of the board if necessary.

2. CEO Report for January: Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that includes a list of building permits and certificates of compliance for December 20th, 2022 thru January 25, 2023

Along with the regular CEO Board report, the CEO has also provided the board with full sized plans for the Marquart Village MHP proposed expansion, a copy of the Palmyra MHP Ordinance, the application for the Special Use Permit, and letter of intent and plans. He also asked that the board carefully review the meeting minutes from the Planning Board January 9, 2023 as the minutes also include hand written notes from each Planning member concerning their decision.

The Town Board will conduct a hearing on February 14th, 2023, as Mobile Home Parks is the only planning decision that the Town Board makes. They will need to decide to do one of the following on or by the March 23rd, 2023 meeting:

- Approve the special use permit for an expansion of the park
- Approve the special use permit with conditions, or
- Disapprove the permit as the planning board recommended.

3. Minutes from Zoning Board Meeting from January: None from this month.

4. Minutes from Planning Board Meeting from January: The full report is included, along with the Planning Board recommendation to disapprove the expansion of the Marquart Mobile Home Park.

AGENDA ITEMS

1. Approve: Hearing Date for Proposed Expansion for Marquart Mobile Home Park: Todd Pipitone made the motion to approve Public Hearing and Special Meeting date of Tuesday February 14, 2023 at 7:00 PM, to review the decision made by Palmyra Town Planning Board on January 9, 2023, and to review supporting information for and against the proposed expansion for Marquart Mobile Home Park.

Second: Doug DeRue

Vote: 4 Ayes. Carried

2. Approve: Rescind Appointment of Budget Officer at 2023 Organizational Meeting: Todd Pipitone made the motion to rescind the decision from January 3rd, 2023 meeting which appointed Brad Cook as Budget Officer.

Second: Doug DeRue

Vote: 3 Ayes. Carried

Councilman Cook abstained as it referred to him.

3. Approve: Supervisor as Budget Officer: Todd Pipitone made the motion to appoint Supervisor Kenneth Miller as Budget Officer for the Town of Palmyra for 2023. Seconded by Brad Cook, and a roll call vote was requested.

James Welch, Deputy Supervisor	AYE
Brad Cook, Councilman	AYE
Todd Pipitone, Councilman	Abstained
Doug DeRue, Councilman	AYE

3 AYES. Carried.

Councilman Pipitone stated that he abstained as he did not have confidence in the ability of Mr. Miller to act as budget officer.

4. Approve: Purchase of Two Samsung Tablets for the Code Enforcement Office: Todd Pipitone made the motion to approve the purchase of two, Samsung Tablets (Galaxy S7 FE + Accessories), not to exceed \$1,700.00. This is a budgeted purchase.

Second: Doug DeRue Vote: 4 Ayes. Carried

5. Approve: Local Law #1-2023 Adopting a Cold War Veterans Tax Exemption: Todd Pipitone made the motion to adopt Local Law #1-2023 Adopting a Cold War Veterans Tax Exemption, as written;

Second: Brad Cook Vote: 4 Ayes. Carried

Local Law #1-2023 Adopting a Cold War Veterans Tax Exemption

SECTION 1. PURPOSE

The purpose of this local law is to grant Cold War Veterans who meet the requirements set forth in Sec. 458-b of the New York Real Property Tax Law with real property tax exemption.

SECTION 2. DEFINITIONS

As used in this local law, the following terms shall have the meanings indicated:

ACTIVE DUTY- Full time duty in the United States Armed Forces, other than active duty for training.

ARMED FORCES- The United States Army, Navy, Marine Corps, Air Force and Coast Guard.

LATEST CLASS RATIO- The latest final class ratio established by the New York State Board of Real Property Tax Services pursuant to Title 1 of Article 12 of the New York State Real

Property Tax Law for the use in a special assessing unit as defined in sec. 1801 of the New York State Real Property Tax Law.

LATEST STATE EQUALIZATION RATE- The latest equalization rate established or special equalization rate, as set forth in sec. 458-b Subdivision 1 (g) of the New York State Real Property Tax Law.

QUALIFIED OWNER- A Cold War Veteran, the spouse of a Cold War Veteran, or the unremarried spouse of a deceased Cold War Veteran. Where property is owned by more than one qualified owner, the exemption to which is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.

QUALIFIED RESIDENTIAL REAL PROPERTY-The property owned by a qualified owner which is used exclusively for residential purposes; provided however, that if any portion of such property is not used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation, and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War Veteran or the unremarried spouse of a Cold War Veteran, unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization subject to such time limitations, if any, as are set forth in sec. 458-b subdivision 1(f) of the New York State Real Property Tax Law.

SERVICE-CONNECTED- With respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval or air service.

SECTION 3 AMOUNT OF EXEMPTION; LIMITATIONS

A. Qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided however that such exemption shall not exceed \$12,000.00 or the product of \$12,000.00 multiplied by the latest state equalization rate of the assessing unit, the latest class ratio, whichever is less,

B. In addition to the exemption provided in Subsection A above, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service-related disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by 50% of the Cold War veterans disability rating; provided however, that such exemption shall not exceed \$40,000.00 or the product of \$40,000.00 multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

C. If a Cold War veteran receives either a veteran's exemption under sec. 458 of the Real Property Tax Law or an alternative veteran's exemption under sec 458-a of the Real Property Tax Law, the Cold War veteran shall not be eligible to receive an exemption under this article.

SECTION 4 DURATION
OF EXEMPTION

The exemption provided by this Article shall apply and be granted to a qualifying owner of qualifying real property for as long as they remain qualifying owners, as defined above in Section 2.

SECTION 5 APPLICATION
FOR EXEMPTION

Application for exemption shall be made by the qualified owner, or all the qualified owners of the property on a form prescribed by the State Board. The owner or owners shall file the completed form in their local Assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to refile at such times and under such circumstances as may be set forth in sec. 458-b, subdivision 3 of the New York State Real Property Tax Law. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the New York State Penal Law.

6. Approve: Service Agreement (Proposal number P2300995) with LaBella for the Landfill Closure Investigation for the Old Palmyra Landfill: Todd Pipitone made the motion to approve the Service Agreement (Proposal number P2300995) with LaBella for the Landfill Closure Investigation for the Old Palmyra Landfill on Garnsey Rd., dated January 20, 2023.

Second: Doug DeRue

Vote: 4 Ayes. Carried

7. Approve: Order on Consent (DEC Case No. RB-2022-1121-70) for the Town of Palmyra Landfill on Garnsey Rd: Todd Pipitone made the motion to approve an "Order on Consent" (DEC Case No. RB-2022-1121-70) for the Town of Palmyra Old Landfill on Garnsey Rd.

Second: Jim Welch

Vote: 4 Ayes. Carried

8. Approve Andy Jacobs for Snow and Ice Removal at the Town Hall: Brad Cook made the motion to approve Andy Jacobs for snow and ice removal at the town hall. This includes shoveling and salting the main entry from parking lot, clearing the steps and ramp. Also, on the South side, it includes shoveling and salting the ramp and adjacent sidewalk. The cost will be \$88 per trip, and includes \$3,000,000 combined insurance coverage.

Second: Todd Pipitone

Vote: 4 Ayes. Carried

MOTION TO APPROVE CLAIMS AND EXPENDITURES

Todd Pipitone made the motion to approve claims and expenditures for January 2023, Vouchers #2023-1 thru #2023-127 totaling \$141,580.29

Second: Brad Cook

4 Ayes. Carried.

MOTION TO ADJOURN

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

Second: Jim Welch

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

**Hearing And Special Meeting
Tuesday February 14th, 2023
7:00 PM - Palmyra Town Hall**

**Regular Town Board Meeting
Thursday February 24, 2022
7:00 PM - Palmyra Town Hall**