

**HEARING & REGULAR MEETING OF THE TOWN BOARD
Palmyra Town Hall
November 8th, 2022**

At 7:00 p.m., Supervisor Miller called to order the Town Board meeting and public hearing, scheduled for Thursday, October 27, 2022, at the Palmyra Town Hall, 1180 Canandaigua Rd., Palmyra, New York.

HEARING

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
Doug DeRue, Councilman
Todd Pipitone, Councilman did not arrive until 7:04 PM

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 these hearings, in accordance with law.

**LEGAL NOTICE - TOWN OF PALMYRA
NOTICE OF PUBLIC HEARING FOR LOCAL LAW #2-2022 "REAL PROPERTY TAX LEVY LIMIT
AND SPECIAL MEETING**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Palmyra will conduct a Hearing regarding the proposed Local Law# 2- 2022 "Real Property Tax Levy Limit", November 8th, 2022 at 7:00 PM, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

FURTHER NOTICE IS HEREBY GIVEN, that a special meeting is called to approve the Local Law, approve the 2023 budget, as well as any other business that may come before the Town Board.

That said Local Law is to read as follows:

RESOLUTION #15- 2022
LOCAL LAW #2 – 2022 “Real Property Tax Levy Limit”

Section 1. Legislative Intent

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Palmyra pursuant to General Municipal Law §3-c, and to allow the Town of Palmyra to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by the vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Palmyra, County of Wayne, is hereby authorized to adopt a budget for the fiscal year 2023 that requires a real property levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Irene E. Unterborn, Palmyra Town Clerk

OPEN PUBLIC HEARING:

At 7:01 PM, Councilman Welch Made the motion to open the public hearing for LOCAL LAW #2 – 2022 “Real Property Tax Limit”.

Second: Brad Cook

Vote: 3 Ayes. Carried

CLOSE HEARING

At 7:03 PM, as there were no questions, Councilman Welch made the motion to close the public hearing.

Second: Brad Cook

Vote: 3 Ayes. Carried

REGULAR MEETING

At 7:04 PM, motion was made by Doug DeRue to open the regular meeting.

Second: Brad Cook

Vote: 3 Ayes. Carried

ATTENDANCE

Also in attendance: Deb Welch

GUEST SPEAKER

None this evening.

COMMUNICATIONS RECEIVED

None for this evening.

PUBLIC INPUT

None for this evening.

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

Reports will be given at regular meeting on November 22nd, 2022, except for discussion regarding Vienna Place Apartments. There are many open ends to the agreement at this point, including the fact that the name change cannot be found yet registered. Paul Rubery has a call into Joan Gates as the amounts paid are questionable and the agreement states that they would be 100% tax exempt except for the sewer, library, and fire

department. The old agreement did not have them at a 100% exemption. Mr. Rubery also wanted to know if land was included in assessment. They also have it listed as a 30-year agreement (hoping for 40 years) though it is only legal to go as far as 25 years according to the assessor. Mr. Rubery feels this should be discussed further by the board before any decisions are made, even if it is just to give the Supervisor permission to sign. However, he will only comment on the legality of the agreement, it is the board's decision of course. Our next meeting is November 22nd, 2022.

AGENDA ITEMS

1. Approve: Contract with East Palmyra Fire Protection District: Doug DeRue made the motion to approve the contract with the East Palmyra Fire Protection District for a two-year period.

Second: Todd Pipitone 4 Ayes. Carried.

1. Approve: Resolution #15-2022 - LOCAL LAW #2 – 2022 “Real Property Tax Levy Limit”: Todd Pipitone made the motion to approve Resolution #15-2022 - LOCAL LAW #2 – 2022 “Real Property Tax Levy Limit”, as written below:

Second: Doug DeRue 4 Ayes. Carried.

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LOCAL LAW #2 – 2022 “Real Property Tax Levy Limit”

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Irene E. Unterborn, Palmyra Town Clerk

2. Approve: Modifications to the 2022 Budget: Todd Pipitone made the motion to approve the following modifications to the 2022 Budget, as follows: Seconded by Brad Cook, and a roll call vote was requested.

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

5 AYES. Carried.

TOWN OF PALMYRA
2022 Budget Modifications
November 8, 2022

Budget Modification #1

PART TOWN FUND

Increase - Appropriations:

Acct# 80154.02.000.00
 Code Enforcement – Contractual Expense Amt: \$75,000

Decrease - Fund Balance:

Acct# 915.02.000.00
Assigned Unappropriated Fund Balance Amt: \$75,000

➤ Amount reflects expenses for court-ordered property clean-up

Budget Modification #2

GENERAL FUND

Increase - Appropriations:

Acct# 90898.01.000.45
Other Employee Benefits – One-time Payment Amt: \$14,482

Decrease - Fund Balance:

Acct# 917.01.000.00
Unassigned Fund Balance Amt: \$14,482

- Amount reflects Town Board approved resolution for one-time payment to employees

PART TOWN FUND

Increase - Appropriations:

Acct# 90898.02.000.45
Other Employee Benefits – One-time Payment Amt: \$2,418

Decrease - Fund Balance:

Acct# 915.02.000.00
Assigned Unappropriated Fund Balance Amt: \$2,418

- Amount reflects Town Board approved resolution for one-time payment to employees

DA HIGHWAY FUND

Increase - Appropriations:

Acct# 90898.03.000.45
Other Employee Benefits – One-time Payment Amt:
\$9,750

Decrease - Fund Balance:

Acct# 915.03.000.00
Assigned Unappropriated Fund Balance Amt: \$9,750

- Amount reflects Town Board approved resolution for one-time payment to employees

3. Approve: Resolution #17-2022: One Time Payment to the Town of Palmyra Employees: Todd Pipitone motion to approve Resolution #17-2022: One Time Payment to the Town of Palmyra Employees, as written:

Second: Brad Cook 4 Ayes. Carried.

**RESOLUTION #17-2022
ONE TIME PAYMENT TO TOWN OF PALMYRA EMPLOYEES**

WHEREAS, the present rising costs due to record inflation have become an undue burden to the town employees; and

WHEREAS, a one-time payment to full and part-time employees would help to alleviate some of the current economic strains employees are facing and retain current employees; and,

WHEREAS, the following terms and conditions of the proposed one-time payment:

- Full time employees will receive \$1,300.00
- Part time employees will receive \$650.00
- Employees will receive a separate check the last payroll for 2022.

4. Approve: Local Law #1-2022 – Todd Pipitone made the motion to approve Local Law #1 - 2022 Amending Local Law No. 2 of 2013 providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (“Uniform Code”) and New York State Energy Conservation Construction Code (“Energy Code”). A public hearing was conducted on October 27th, 2022.

Second: Jim Welch 4 Ayes. Carried.

5. Approve: Final 2023 Budget: Todd Pipitone made the motion to approve the Final 2023 Budget. Copies of the Preliminary 2023 Town Budget were available for public inspection since approval of it at the Special Town Board meeting on September 27, 2022. Seconded by Brad Cook and a roll call vote was requested.

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

5 AYES. Carried.

6. Approve: Addendum No. 1 To The 2020 Amended and Restated Western Regional Wastewater Treatment System Improvement and Services Agreement: Todd Pipitone made the motion to approve Addendum No. 1 to the 2020 Amended and Restated Western Regional Wastewater Treatment System Improvement and Services Agreement. This amendment was dated November 4th, 2022, and has been approved by the town attorney. (This addendum changed nothing for Palmyra)

Second: Jim Welch 4 Ayes. Carried.

MOTION TO ADJOURN

At 7:12 PM PM, Todd Pipitone made the motion to adjourn the meeting.

Second: Doug DeRue

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

Regular Town Board Meeting
Tuesday November 22nd, 2022
7:00 PM – Palmyra Town Hall