

**REGULAR MEETING OF THE TOWN BOARD  
PALMYRA TOWN HALL  
February 23, 2023**

At 7:00 p.m., Deputy Supervisor James Welch called to order the regular Town Board meeting, scheduled for Thursday, February 23, 2023, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

Deputy Supervisor Welch led those present in the Pledge of Allegiance to the Flag.

Upon roll call, the following Board members were present:

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

Supervisor Miller was absent.

Motion was made by Todd Pipitone to approve the minutes of the Town Board meeting which took place on January 26, 2023.

Second: Doug DeRue                      Vote: 4 Ayes. Carried

Motion was made by Todd Pipitone to approve the minutes of the Public Hearing which took place on February 14, 2023.

Second: Brad Cook                      Vote: 3 Ayes. Carried

Councilman Pipitone abstained as he was absent.

**ATTENDANCE**

Also in attendance: Mike Catalano, Don Wilkins, Dean Heckman, Maureen Kennedy, Jeremy & Shauna Bedette, Pat Converse, Mark Warters, Chuck & Julie Hartman, Marc Carrier and Highway Superintendent Mike Boesel.

**HEARING**

There was no official hearing this evening.

**GUEST SPEAKER**

Mike Catalano, our representative from the Wayne County EMS Advisory board, reported that Finger Lakes Ambulance was doing a good job, and is now parked at Byrne Dairy, which means no long response times for Palmyra. The Wayne County Ambulance is beginning July 1<sup>st</sup> in Lyons, and will be paying rent so that they can stay in the existing building.

**EARLY AGENDA ITEMS**

So that the new BAR members would not have to stay for the entire meeting, the first two agenda items were moved up.

**1. Approve: New member to the Board of Assessment Review:** Doug DeRue made the motion to approve Paula Amico-Gabriele to fill a vacancy on the Board of Assessment Review, beginning immediately, and ending September 30, 2026.

Second: Todd Pipitone      Vote: 4 Ayes. Carried

**2. Approve: New member to the Board of Assessment Review:** Doug DeRue made the motion to approve Maureen Kennedy to fill a vacancy on the Board of Assessment Review, beginning immediately, and ending September 30, 2027.

Second: Todd Pipitone      Vote: 4 Ayes. Carried

**RETURN TO GUEST SPEAKERS**

Deputy Supervisor Welch invited Village Trustee Mark Warters to speak on behalf of the Village PD with the new Chief Kyle DiNardo. The Chief was still on his way back from a meeting so they will wait just a bit longer.

**COMMUNICATIONS RECEIVED**

Letter received from Jeff Johncox, 2391 Maple Ave is as follows, supporting data is included in the board packets. **(ATTACHMENT A)** Mr. Johncox did not wish to address the board.

Re: Palmyra Town Board Meeting 2/14/2023  
Regarding the Proposed Special Use Permit for  
Marquart Village Mobile Home Park Expansion

2/19/2023

I attended the public hearing on February 14, 2023 regarding input from the public concerning the expansion of Marquart Mobile Home Village Park (MVMHP). After receiving data from the county, and doing some research on the topics brought forth, I would like to share some of my findings.

- 1) Property value and home resale value will decrease dramatically, especially for property owners directly bordering the proposed expansion.

According to research that I have done on this topic, I have found no proof that there is any truth to this perception. An article was published in 2013 regarding the impact of manufactured housing on communities. Concerning property values of site-built housing on adjacent to or in close proximity to manufactured housing, all recent studies on the subject have concluded that there is no impact.

The mobile home park was there long before many of us purchased our properties and built our homes. The proximity of the park did not have an impact on our decision to build on our property. Our land borders the existing manufactured housing property and our assessment and property value continues to be in line with the neighborhood values. Recent home sales have been strong.

Property values appear to be more market based driven, rather than proximity. My home's tax assessment was based on similar homes, not homes in proximity to ours. Most neighbors have been here for more than twenty years. Most homes in this vicinity that have gone on the market were purchased by younger families, which indicate that this is still a very desirable location to raise a family.

I have seen significant changes in this area in recent years. The horse farm across the road was being neglected and the new owner has made noticeable improvements to the property and works hard to keep her business of boarding horses strong. We now have a family that has fenced in their yard to raise alpacas. Their appears to be a lot of diversity in our neighborhood.

- 2) Safety issues with mobile home residents in proximity, usually children, entering fenced pastures occupied by horses.

The fenced in horse pastures have been here for well over 20 years and I have not seen nor heard of any problems from my neighbors regarding trespassing. We have witnessed people stop along the road to view the horses. My property borders the current mobile homes and we have not had any issues with trespassing or damage from the people living in mobile homes. People living in the mobile home park have been good neighbors and have asked permission to enter or use our back lot.

- 3) Country setting will be disrupted with the view of park, increased noise, lighting and traffic.

The proposal will be set back quite a ways from everyone's property line. To view the current property and the proposed expansion, one would need to be able to see through tree lines, rock walls, barns, wooded areas and fields. When the leaves are on the trees, you can see and hear even less.

The current mobile home park lighting points downward and is very faint to see through all of the trees. Our property is surrounded on two sides by bright lighting illuminating upward and outward from the neighbor's barns and house that shine through our windows. .

Vehicle traffic patterns appear to congest more at the Maple Avenue and Macedon Center Road intersection. Traffic either turns right onto Maple Avenue to head towards the village or turns left headed north. From there a lot of traffic turns right onto Jeffery Road headed towards Route 21. The vehicle traffic staying on Maple Avenue headed north is only a fraction of that at the Macedon Center Road and Maple Avenue intersection. Would vehicles for fifty more homes increase that much more traffic in this area?

The concern of disrupting the country setting is subjective. When we first bought our property, there were not a lot of horses around. Most of the fencing has gone up since we moved here. Our property is now bordered on three sides by fenced in areas for horses.

The land being considered for the expansion has not been farmed and has remained idle for many years. Like the farmland that was subdivided into building lots, which we all purchased and built our homes on, home and land improvements have increased market value. Market value increases tax revenue for the town of Palmyra.

One rule we were taught when purchasing real estate is you don't buy property for the view unless you can afford to buy the view.

- 4) Added strain on local services: police fire rescue. Average yearly response calls for Wayne County Sheriff Dept. was 179 / year from 2016-2022 for the existing park. (Does not include NYSP)

Data collected from my FOIL request for information regarding the previous 5 years indicates that the number of Wayne County Sheriff Department responses to MVMHP averages about 7.5% of all calls for the WCSD coming to Palmyra. This number drops to 5.4% since 2020. When you take into consideration all calls for Palmyra, which include the WCSD and PPD, the average calls to MVMHP is about 2.3% of all Palmyra calls. All calls to MVMHP from the WCSD as compared to all of their county calls are 0.6%. In comparison, all calls from the WCSD to Palmyra average 8.6%.

- 5) Added drain to the Pal-Mac school system and tax base in general.

The information that I have found seems to indicate that the impact needs to be reviewed case-by-case due to property tax methods. One thing that this project does have going in the town's favor is that the developer will be paying all costs for the materials, construction and installation of the streets, lighting and sewer.

As for the impact on the school system, neighbors have been throwing out an estimation of two children per household, or 100 new students. The recent census data does not indicate that many children per household. I have calculated some assumptions based on the US Census for the town of Palmyra. The variables depend on factors such as the number of adults per household and age of the residents moving in.

Data from US Census for the town of Palmyra, NY  
 Persons under 5 years – 4.8%  
 Persons under 18 years – 17.7%  
 Persons 65 years and over – 22.2%  
 Persons per household – 2.25

Using a simple statistical calculation from this data, 50 homes each with 2.25 people, will be an additional 113 people total.  $113 \text{ people} \times 17.7\% \text{ (under 18 years)} = 20 \text{ children}$ . One other variable that could lessen the impact is if some people moving into a mobile home are already living in and attending the Palmyra-Macedon school district.

Whichever decision the Palmyra Town Board takes on this matter, I ask that the decision being made is one that benefits all of Palmyra the best.

Respectfully,

Jeff Johncox  
 2391 Maple Avenue  
 Palmyra, NY 14522

**PUBLIC INPUT**

There was no public input at the meeting.

**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**

Deputy Supervisor Welch will report on behalf of Supervisor Miller later in the evening.

**Human Services: Town Clerk, Archives, and Town Hall Facility**

**-Councilman Bradley Cook**

**1. Town Clerk Report for February:**

**TOWN CLERK OFFICE REPORT TO THE BOARD**

**FEBRUARY 17, 2023**

January and February have been steady with Town and County tax collection and water payments. So far, since January 1, we have collected \$4,614,293.97 of the \$5,930,022.53 tax warrant.... leaving just \$1,315,774.24 to be collected until the final deadline of March 31<sup>st</sup>. One half of the total warrant was received in the last week of January alone!!

Through dog licensing in January, we sold 81 licenses totaling \$631.00, misc sales – FOIL requests, marriage licenses, hunting/fishing, vital record requests, zoning & escrows etc- added an additional \$2,756.10. Total check disbursements for the month of January were \$3,387.10. With the town

tax receipts, we have included a small mailer to remind the public that all dogs need to be licensed annually, which has already resulted in numerous “new dogs” being registered with us.

I am looking forward to the Association of Towns Meeting this coming week, and acting as delegate for the Town of Palmyra at the Annual Business Meeting. I am also looking forward to the training sessions for town officials, as the sessions available are different than the ones offered to me at the Town Clerk Conference that I will attend in April.

Comptroller recommended audit check lists were completed and filed with the town clerk for not only the Town Clerk’s Office and Tax Collection (audit performed by Councilmen Cook and Councilman Welch), but the book keeper as well (audit performed by Councilman Welch and Councilman Cook). The annual audit for the Palmyra Town Court was performed by Councilman DeRue.

Councilman Cook commented that the Town Clerk will soon have feedback from the Association of Towns meeting that she just returned from.

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

**1. Highway Department report for February:**

**Highway Superintendent Report  
For Town Board Meeting  
2/23/23**

Since the 1/26/23 Town Board meeting we have completed the following work:

- **Plowing/Sanding** –To date this winter season we have made a total of 41 trips out of the barn.  
A comparison to this point of the past 5 winter seasons is below:
  - February 2022 – 71 trips.
  - February 2021 - 66 trips
  - February 2020 – 78 trips.
  - February 2019 - 99 trips.
  - February 2018 - 90 trips.
- **Salt Orders** – So far for the month of February we have ordered 300 tons of salt. For the winter season we have received 972 tons of our 2600-ton allotment, or approximately 37% of our allotment.
- **Brush Mowing/Tree Work** – This month we completed Schilling, Desmith, and Goldsmith. We will continue as weather permits. Additionally, during the course of a few nicer days, we went around the entire Town and picked up nearly 20 loads of dead tree debris along roadsides and ditchlines.

- **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** – On 2/2, we started replacing road signs on Plow Route #1, in the northwest portion of the Town. On 2/14, we started replacing signs in Plow Route #2, in the north-central part of Town. I have an order submitted for road signs for Plow Route #3, which we hope to install in the coming weeks. As the weather remains cooperative, we should be able to complete this project. We will continue to work clockwise around the Town. Going to 6” letters on town signs.
- **Office/Breakroom Heat FIXED!** – On 2/1 we dug into our parking lot and exposed the top of the buried fuel oil tank. We found a loose fitting on the intake line where it enters the top of the tank. We also removed the intake tube for inspection and replaced it. We then needed Potter to install a new oil pump. The boiler has worked ever since. Fingers crossed.
- **Salt Barn Project** – I visited Macedon Hwy since our last meeting, took some pictures and compared some measurements to their building and our current building and available space. Their building is 80’wide x 144’long. Ours is 50’wide x 80’long. I am meeting with Chris Countryman to understand his building costs, builder, and funding and expect to meet with a couple vendors in the coming weeks.

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

The salt barn project is still being looked at, and Mr. Beosel went to check out the Macedon barn. The book keeper’s suggestion for funding would be to use the Common Highway Facility account as we have still been contributing \$4 k+ per year since the highway facility project, so there should be around \$20 k available.

**2. Old Garnsey Road Landfill:** Order of Consent with DEC is signed; LaBella agreement is also signed.

**3. Discussion regarding proposed Marquart Mobile Home Park:** Board is still reviewing information, there will be no vote until the regular March meeting.

**4. Pilot agreement information for Vienna Place: (ATTACHED)** We do not actually have the pilot in writing yet, just the facts of the agreement. They have never paid over \$9,600.00, with the proposed agreement, they

will start at \$10,000.00 per year plus a 1 ½ % increase per year. There will be approval asked for later in the evening.

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

**1. Strategic Plan:** Councilman Pipitone reached out to the town clerk who then located a digital copy of the comprehensive plan at LaBella (Stu Brown had originally produced the plan with maps from MRB!), and e-mailed them to the Town Board Members on February 16, 2023, so that they can begin review.

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

**1. Assessor's Office Report for February:**

**REPORT TO THE TOWN BOARD  
FROM THE ASSESSOR'S OFFICE  
February 16, 2023**

We are normally very busy the month of February. With the state mandated 2<sup>nd</sup> notices (the postcards sent out) in addition to our normal exemption applicants it has been extra busy with additional phone calls, emails and those just stopping in to inquire about the exemption. Plus, the extra applications – not all applicants are eligible and will receive a notice stating this.

As you know we sent out State mandated 2<sup>nd</sup> notices regarding the RP-467 (Low Income Senior Exemption). We sent out about 1,950 post cards. These had to be sent to all residential properties. In preparing for this mailing, I ran a report/list for all residential properties. I then went thru the list and removed those with multiple parcels, those that do not live in the residence and those that are already receiving this exemption. I also decided to do post card as this is much less expensive than a letter (increased postage plus paper and envelopes). With Julie's help these were sent out before the increase in postage.

The deadline for filing all our exemptions (Enhanced STAR – 1<sup>st</sup> years, Agricultural, etc.) is March 1<sup>st</sup>. All exemption applications must be in our office by 4pm Wednesday March 1<sup>st</sup>.

I usually do my field review before March 1<sup>st</sup>. This is the deadline for both exemptions and taxable status date (property condition). This is when I check/take pictures for building permits/ parcel inventory. I am hoping to do this March 2<sup>nd</sup> – weather permitting – as I cannot leave the office without help when the March 1<sup>st</sup> deadline is fast approaching.



I will be asking Julie to start next week to make reminder calls to the senior citizens that have not returned their renewal paperwork as well as those on the agricultural list if there is time. I will also make calls for this as needed.

On January 31<sup>st</sup> I received my PDC (pre-decisional collaboration). I have put copies of this in your mailboxes along with the trends for all property types in the county. The state has calculated that we are assessing at 94.89%. This is due to the current trends (see chart in your mailbox for all types) – the biggest trend for most towns is D Class. This is for utilities; the state is responsible for the assessments on these properties. Even when doing an update, I request the state to assess these. After speaking to my representative from the state I am planning on claiming 99% for my level of assessment. Again, this is all due to the sales market and is something that assessors have no control over.

Last year's PDC was at 78.31%, but with the re-valuation project we were up to 100%. With out the re-valuation project at most I would have been able to claim about 81% for 2022 and we could be as low as 76% this year. So the re-valuation project was definitely beneficial as we are still very close to 100%. If you look at the list – Level of Assessments – those highlighted in yellow had done re-valuation project for 2022, those highlighted in green show the last time a project was done for those towns. None of the towns that completed a successful project for 2022 will be at 100% for 2023 when looking at the current trends. Again this is all due to the current market.

I have also received the assessments for the special franchise. A copy of the letter from the state is in your mail boxes along with the spread sheet showing the changes in value from last year. AT&T Communications is new this year. I have contacted the state to find out what school district(s) it is in. At this time, I am waiting to hear back, so the breakdown for AT&T may change.

The sales list for January will be added to next months report. Sales/Transfers were just picked up from the county on Tuesday the 14<sup>th</sup> and have not been entered into RPS.

Exemption received list: There is not a list of specific exemption applications this month. There has been well over 50 exemptions returned since last month and this does not include all the first year Enhanced STAR applications.

If you have any questions or concerns, I am in the office Tuesdays and Thursdays.

The Assessor included addition information for the board packets with regards to Special Franchise Values (**ATTACHMENT B**)

**2. CEO Report for February:** Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that includes a list of building permits and certificates of compliance for January 24, 2023 thru February 22, 2023.

**3. Minutes from Zoning Board Meeting from February:** None from this month.

**4. Minutes from Planning Board Meeting from February 13, 2023:** Minutes from the Planning Board meeting from February 13, 2023 were shared with the board.

**INFORMATION**

1. NYS Ag & Markets issued the Dog Control Officer Inspection Report for January 12, 2023. All was found to be satisfactory with our facility.

**AGENDA ITEMS**

**3. Approve: Hire Town Bailiff:** Todd Pipitone made the motion to hire Patricia A. Burditt as Town Court Bailiff, at a rate of \$20.91 per hour, beginning ASAP, and to allow the Deputy Supervisor to sign such agreement. Seconded by Brad Cook.

Chief DiNardo called Deputy Supervisor Welch to discuss getting the PD up to compliance with state regulations. The Chief informed Mr. Welch village has a court and PD, they cannot have a bailiff. We do not have a town PD, so we can have a Bailiff. The village asked if we could put her on our payroll as bailiff to bring us all into compliance. We pay \$2,000.00 per year for this service from the village currently. The guestimate is that she will make \$1,400.00 this year. We will end up paying about \$2,400.00 per year. The cost will include approximately \$1,000.00 additional insurance for having an armed person, but the alternative would be to hire an off-duty police officer at a much higher rate per hour. The village will handle putting something in writing on their end and the board, if they chose, will approve the deputy supervisor to sign. We are only responsible for the per hour cost, they will pay for any training necessary.

After discussion including Village Trustee Warters, a roll call vote was requested.

Councilman Welch	Aye
Councilman Pipitone	Aye
Councilman Cook	Aye
Councilman De Rue	Aye

Vote: 4 Ayes. Carried

**4. Approve: Resolution #5-2023: Authorizing the Cancellation Of Outstanding Checks From The Disbursement Account:** Todd Pipitone made the motion to approve Resolution #5-2023: Authorizing the Cancellation Of Outstanding Checks From The Disbursement Account, as written;

Second: Brad Cook      Vote: 4 Ayes. Carried

**RESOLUTION#5-2023  
AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS  
FROM THE DISBURSEMENT ACCOUNT**

**WHEREAS**, there exists outstanding checks in the disbursement account that are older than one year; and

**WHEREAS**, those checks need to be cancelled from the books and records of the Town of Palmyra; and

**NOW, THEREFORE, BE IT RESOLVED**, that the following checks will have stop payments placed on them and the funds from said checks shall be realized as miscellaneous revenue:

<b><u>CHECK #</u></b>	<b><u>DATE:</u></b>	<b><u>AMOUNT:</u></b>
31704	September 2021	\$ 150.00

**5. Approve: Vienna Place Apartment Pilot:** Todd Pipitone made the motion to approve, and for the Deputy Supervisor to sign, the Vienna Place Pilot Agreement, with an initial payment of \$10,000.00 per year, and an annual growth rate of 1.5% for 30 years.

Second: Doug DeRue      Vote: 4 Ayes. Carried

**6. Approve: Town Clerk Conference:** Brad Cook made the motion to approve Town Clerk to attend the Town Clerk Conference in Syracuse, April 23 -26, 2023 not to exceed \$1,200.00. This is a budgeted conference, but the Town Clerk will try to obtain a scholarship again this year.

Second: Todd Pipitone      Vote: 4 Ayes. Carried

**MOTION TO APPROVE CLAIMS AND EXPENDITURES**

Todd Pipione made the motion to approve claims and expenditures February 2023 – Vouchers #2023- 128 thru #2023-248 totaling \$651,559.31.

Second: Doug DeRue                      Vote: 4 Ayes. Carried

**MOTION TO ENTER INTO EXECUTIVE SESSION**

At 7:28 PM Brad Cook made the motion to enter Executive Session to discuss personnel issues.

Second: Todd Pipitone                      Vote: 4 Ayes. Carried

Deputy Supervisor Welch announced there would be a statement and additional vote to follow.

**MOTION TO EXIT EXECUTIVE SESSION**

At 8:04 PM, Todd Pipitone made the motion to return from Executive Session.

Second: Brad Cook                      Vote: 4 Ayes. Carried

Todd Pipitone made the motion to approve Resolution #6-2023, and the following resolution was read in public.

**RESOLUTION #6-2023**

*WHEREAS, The Supervisor Kenneth F. Miller agreed to reduce his obligations, and the Town Board of the Town of Palmyra, New York is in agreement.*

*NOW, THEREFORE, BE IT RESOLVED: The Town Board does hereby make the following resolutions:*

*Be it resolved that the duties of the Supervisor with regard to the Town Board shall be delegated to the Deputy Supervisor, James Welch, and*

*Be it further resolved that the Supervisor Kenneth F. Miller shall represent the Town of Palmyra in all matters at the Wayne County Board of Supervisors until such time as he shall retire.*

This was seconded by Brad Cook, and a roll call vote was requested.

Councilman Welch	Aye
Councilman Pipitone	Aye
Councilman Cook	Aye
Councilman De Rue	Aye

Vote: 4 Ayes. Carried

Mr. Welch asked that any additional questions be directed to Mr. Miller directly.

**MOTION TO ADJOURN**

At 8:07 PM, Brad Cook made the motion to adjourn the meeting.

Second: Doug DeRue

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn  
Town Clerk

**Regular Town Board Meeting**  
**Thursday, March 23th, 2023**  
**7:00 PM - Palmyra Town Hall**

