

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
December 28th, 2023**

At 7:00 p.m., Supervisor Gary Rose called to order the regular Town Board meeting, scheduled for Thursday, December 28th, 2023, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

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

Upon roll call, the following Board members were present:

Gary Rose, Supervisor
James Welch, Councilman
Douglas DeRue, Councilman
Brad Cook, Councilman
Todd Pipitone, Councilman

Motion was made by Todd Pipitone to approve the minutes of the Town Board meeting which took place on November 21st, 2023.

Second: Brad Cook Vote: 4 Ayes. Carried

ATTENDANCE

Also in attendance: Linda Tynon, Jerry Patterson, Lori Connors, Dan Connors, Gigit Graham, Casey Carpenter (Wayne Times), Tracy Vanderwall, 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, was unable to attend.

COMMUNICATIONS RECEIVED

Supervisor Rose received the following email from Gigit Graham, Liberty St, on December 6th, 2023:

"Hi Gary,

I was wondering what became of the leaf pick up on maple, meadow, Bonnie Brae. As was discussed at the meeting with Tracy and myself back in October, you had said there is no leaf pick up in the town. We addressed with you the situation with maple and meadow etc. you said you would look into it. Well I see that you are still picking up on those roads. How is this fair to the other taxpayers in town that do not get this service. How do you justify this. Please explain how and why this is allowed.

Thank you

Gigit Graham"

Supervisor Rose wanted to take this opportunity to ask the board to give their thoughts on this situation. It was explained that this practice of picking up yard debris on Maple Ave (town) was put in place in 2005 to help offset a labor imbalance between the town and village. Much discussion ensued, and there were three choices that Supervisor felt were available. First, to carry on as is (though the board did not find this fair to the taxpayers), second, to stop entirely (again not the fairest if you lived on that road and had this service for years), or lastly, to perhaps open a week in the spring, and a week in the fall for whole town pickup by appointment. It is felt that this last option could still allow for offsets of labor hours.

Supervisor Rose will speak to Mayor Husk to get his thoughts, and this topic will be revisited at the January 25th, 2024 meeting.

The Town Clerk received the following email from Marc Carrier, Garnsey Rd, on December 27th, 2023:

"Garnsey rd. neighbors are concerned for the current state of the property and would like an update being the minimal cap which was, has now become incredibly breached along with air quality hazards, as a number of these concerns have been shared by Mr. Hagar and Mr Vascukynas who reached out to Sup. Rose

Thank You Marc Carrier"

Supervisor Rose said he would address this topic in his monthly report following.

The Town Clerk received the following email from Linda Tynon, Floodman Rd, on December 27th, 2023:

“To: The Town Board of Palmyra, NY

We are at the beginning of an eventful season for tourism in Palmyra. In preparation for the solar eclipse as well as our exciting summer events, please consider the opportunity to expand our capacity for hosting a wider variety of guests to Palmyra.

We are fortunate to be a tourist destination in the heart of the Fingerlakes, on the Erie Canal hike/bike trail and at the foundation town of the Mormon religion.

Resident property owners of neighboring towns are currently available to host campers as short-term guests. Although a specific segment of tourism, the economic impact to our neighboring communities is significant.

In an effort to promote tourism in Palmyra, I request the opportunity to explore the possibilities of also allowing Palmyra property owners to host travelers (with self-contained RV’s/campers) as their guests, without charge, for designated short term visits.

The economic impact alone would be significant as more campers would eat, shop, and explore Palmyra. I would welcome the opportunity to bring these facts to you at a future date for your consideration.

Linda Tynon, 989 Floodman Rd., Palmyra, NY “

PUBLIC INPUT

Linda Tynon, Floodman Road, with regards to the letter submitted above.

Ms. Tynon addressed the board regarding the letter that she submitted and the proposal she had with regards to promoting tourism in Palmyra. She explained that as the code is written now, the community is not allowed to host campers (stay in campers/ RV’s) on their property. She is hoping that something could be done to allow friends, family, or guests to park 2-3 days on properties, so they fully take advantage of the shopping, eating, and spending money in Palmyra.

Supervisor Rose explained that typically the board would like a recommendation from the Planning Board and referred her to Code Enforcement to arrange a meeting. He also reiterated that though the town board might be open to this concept, this was in no way a blessing. He stated that there is much more to look at and review with code, neighbors, etc.

Board Note - the following will now appear on all 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, Finance: Gary Rose, Chairman**

1. Mr. Rose began a discussion regarding optional coverage & quotes with regards to our insurance coverage on crime, vehicles, and cyber liability. He explained we are switching from NYMIR to CFC for cyber security, as our policy was cumulative. This meant if we had numerous problems in one year, we could top out. Also, the trucks were thought to be undervalued to repair or replace if necessary. After discussion with the board, it was felt that though there is a slightly higher premium to upgrade our coverage, the coverage would be much better, and we would still be \$1,600.00 under the budgeted amount for 2024.

2. Garnsey Rd Update: Though the deadline date for the final approval to submit the plan to DEC was December 31st, our engineers requested an extension until January 31, 2024, which was granted. The engineers had been out to dig test holes, and air quality was measured and sent to the DEC. Councilman Cook noted that the DEC has been involved in the whole project, and that LaBella gives them constant updates and are kept abreast of all that is being done. The DEC has also been more than happy with our highway department and their diligence in this process. The DEC will determine our next steps at that time.

Public Works: Highway Department, Equipment and Facilities -**Councilman James Welch****1. Highway Department report for December:**

**HIGHWAY SUPERINTENDENT REPORT
FOR TOWN BOARD MEETING
12/28/23**

Since the 11/21/23 Town Board meeting we have completed the following work:

- **Plowing/Sanding** –To date this winter season we have made 9 trips out of the barn.

A comparison to this point of the past 5 winter seasons is below:

- December 2022 – 10 trips
 - December 2021 – 12 trips
 - December 2019 - 32 trips.
 - December 2018 - 31 trips.
-
- **Salt Orders** – So far for the month of December we have ordered 200 tons of salt. For the winter season we have received 206 tons of our 2500-ton allotment, or approximately 8% of our allotment.
 - **Snow Fence** – On 12/14, we were finally able to install most of our snow fence.
 - **Brush Mowing/Tree Work** – This month we completed brush mowing on Hazen Lane, Vault, S.Creek, Hogback and Floodman Roads. We plan to continue as the weather permits.
 - **Fleet Maintenance** – We continue with general maintenance on the entire fleet after each plow run. We will soon start to bring in various 'summer'-related pieces of equipment for their annual servicing and maintenance work.
 - **Personnel** – Over the past 3 months we have gone through both a Part-Time and a Full-Time application process. We held interviews on 12/12 and I'm excited to request permission to hire Kiel Hansen, who lives here in Palmyra, for Full-Time employment with the Town.
 - **Tires** – On 12/8 and 12/12, we recycled over 120 tires with Nucor Recycling in Auburn. This free tire recycling was organized through Wayne County Soil & Water. We are still hoping to deliver another 60-90 tires sometime soon.
 - **Garnsey Road Landfill Project** – From 11/28 to 11/30 we completed test hole digs with LaBella Associates staff to assist with the site investigation and survey work.
 - **Sanitary Sewer Project Update** – Villager Construction is currently prepping the drill pad at the WWTP site. Turner Underground will start the Canal crossing in the coming week or so, which I understand could take approximately 6 weeks. Their pipe install crew is finishing up in Walworth and will soon start installing air relief manholes on Oneil Road and Quaker Road.

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

Mr. Boesel stated that he is working on prioritizing projects to use the SAM Grant as the deadline is in 2025. He has also been speaking to CEO Pat Sheridan regarding a new "driveway application" process, and formalizing & using the neighboring towns fee schedules. Councilman Cook added that he is speaking to Chris Lyon about what will be done with the Palmyra Gravel pit.

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

1. Town Clerk Report for December: I will combine a full report for December in January.... but for now, a few highlights this month include:

* I had a meeting with the animal control officer, and we sent out final letters to people that have not renewed their dog licenses. Those that do not renew by January 31, 2024, will receive a court appearance ticket.

*After approval for credit card acceptance this evening, I can set up a meeting to integrate it into our office for payment for everything EXCEPT tax payments,

*Taxes, taxes, taxes. Heidi J. and I picked up taxes from county and metered the postage there (they have a much better, high volume postage meter). We are now in the midst of sorting all the bills so they could be mailed on Friday December 29, 2023, as we begin collecting on Tuesday.

2. Town & County Tax Legal Notice that is run in the *Times of Wayne County*:

**LEGAL NOTICE
TOWN OF PALMYRA
NOTICE OF RECEIPT OF
TAX ROLL AND WARRANT FOR 2024**

TAKE NOTICE that I, Irene Unterborn, the undersigned Tax Collector for the Town of Palmyra, County of Wayne and State of New York, have duly received the tax roll and warrant for the collection of Town and County taxes within the Town of Palmyra of the year 2024, and that same can be paid by mail, or at the Town Clerk's Office, Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, 14522, during business hours of 9:00 a.m. through 5:00 p.m. Monday through Friday. The drop box (in front of town hall building) can be used for payments by check only.

TAKE FURTHER NOTICE that taxes may be paid on or before February 2, 2024 without charge or interest. On all taxes received after such date, there shall be added interest of 1% if paid on or before March 3, 2024, and an additional 2% on or after March 5, 2024. The last day of Town/County tax collection will be March 31, 2024.

TAKE FURTHER NOTICE that Town/County taxes may be paid in two installments, with the first half paid on or before February 2, 2024 without charge or interest. If the second installment is paid between February 3, and March 4, 2024, there shall be added interest of 1% on the remaining amount. If the second installment is paid between March 5 and March 31, 2024, there shall be added interest of 2% on the remaining amount.

FURTHER NOTICE IS GIVEN that there will be a \$20.00 fee for all returned checks.

TAKE FURTHER NOTICE that pursuant to the provisions of law, the tax roll of the Town of Palmyra will be returned to the County Treasurer of the County of Wayne on the first day of April, 2024.

DATED: December 27, 2023

3. Building Update: Airquip Heating & Cooling was in for our winter cleaning and filter changes. There were no issues, and all is working fine. In January, I will call to line up for a spring /summer visit. The locks, including the kennel and back kitchen door, are now all finally finished. I hope! We will begin reviewing & prioritizing town hall projects in January.

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

1. Comprehensive Plan: There was a monthly zoom meeting of the town & village facilitators on December 22nd. Councilman Pipitone attended live, and the town clerk talked with MRB ahead of time. The board packets contain a summary of what has been happening with the comprehensive plan. There will also be a link on our website regarding the Comprehensive Plan information, complete with survey. We asked the public to visit the town & village websites (Comprehensive Plan links), and to please provide some insight as to what they envision for our community in the future. The survey will not take long and is directly linked to MRB to process. As soon as the village is also ready, we will put this on our Facebook pages as well.

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

1. Assessor's Office Report for December:

REPORT TO THE TOWN BOARD FROM THE ASSESSOR'S OFFICE
December 22, 2023

New York State has made changes to how income is calculated for the Senior Citizen Exemption. It is a bit more complex than in the past. In the past we were directed by the state to include Veteran's disability payments and Workers Compensation payments and they no longer count as income for the purpose of this exemption application.

For those reporting Capital Gains or other income losses, we are required to document them in categories and each category has a cap of \$3,000 for a Max of \$15,000 in claimable losses for the purpose of this exemption.

Pal-Mac school has increased their Income threshold from \$26,900 to \$37,400.

Letters were mailed to residents with this year's renewal as well as an income worksheet for residents that file income taxes, an income worksheet RP-467-Wkst for residents that do not file Income Taxes, and a **Documents Needed Form**.

While I understand this is all very complicated, the easiest thing for them to do is gather the requested documents listed on the form and stop in the office and we will help sort it out and make copies of the required forms.

We are receiving a fair number of Senior applications back into the office without proof of income and we cannot process without copies of **2022** Income.

Farm Exemptions were mailed after a review of some prior years data. For those residents whose lease is expiring soon we sent a new lease form. There were also a few farmers who we requested income verification from as well.

I have been working on recording on a spreadsheet all the Palmyra sales for 2023 from January to November. I am reviewing the MLS and comparing inventory and permits and adding value as appropriate for the updated inventory and permits.

On 12/12, I attended the Wayne County Assessors Association meeting in Lyons.

We have processed the November sales. 4 Village and 7 Town sales. There is 1 Parcel split and 2 Parcel merge. requests.

The following are the sales/transfers for the month of November.

October 2023 Sales/Transfers						
MAP #	HS #	STREET		SALE \$	SALE DATE	TAV 2024
64111-11-730589	222	E Jackson St		130,000	11/15/2023	144,800
64111-11-704685	202	E Main St		135,000	11/14/2023	106,600
64111-10-327614	115	Hyde Pkwy		246,200	11/22/2023	156,300
64111-12-966584	316	Vienna St		159,900	11/28/2023	146,000
66111-00-063019	912	Garnsey	**	0	9/28/2023	77,600
66112-00-632052	1785	Port Gibson Rd		359,000	11/2/2023	323,200
64113-00-817644	3163	Leroy Rd	**	0	11/1/2023	380,200
64112-19-681088	1811	Division St		270,000	11/06/2023	253,200
66112-00-620015	1769	Port Gibson Rd		285,000	11/01/2023	276,300
64113-06-344962	3328	Maple Ave		300,000	11/1/2023	305,100
66113-00-635131	2666	Lyon Rd		267,800	11/30/2023	265,200
TAV - Total Assessed Value				Indicates a Non Arms Length sale/Transfer		

Please let me know if you have any questions.

Thank you,
Paula Ruthven

2. CEO Report for December: Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that includes a list of building permits and certificates of compliance for November 16th, 2023, through December 26th, 2023.

3. Minutes from Zoning Board Meeting from December: None for this month.

4. Minutes from Planning Board Meeting from December 11, 2023: Minutes from the planning board meeting were included for Town Board review and can be found in the Town Clerks office.

GENERAL INFORMATION

The following email was received on Friday 12/22/23, from NYS regarding elections:

*"This evening, Governor Hochul signed legislation that changes election years for most town and county positions from odd to even years to coincide with national and statewide elections. **Please note this law does not impact the term of office for anyone elected in November 2023.** Below is an FAQ on the law.*

What does S3505B/A4282B do?

Among other things, it changes election years for town positions, except for town justices, and various county positions from odd-numbered years to even-numbered years. The reasoning behind the switch is to increase voter turnout in local elections.

Why switch election years?

The stated purpose of the law is to increase voter turnout in local elections. Some towns already have elections in even years and therefore this bill will not impact them.

How will the switch to even years take place?

As stated, if you were elected in 2023, you will serve your full term. In order to transition to even years, there will also be town elections in 2025 and 2027; however, one year will be taken off the term of office, for one time only. For example, if you have a two-year term of office and ran in 2023, you will serve your full two years. If you choose to run again after completing your term, there will be an election in 2025 but it will be for a one-year term, and you will have to run for re-election in 2026. If you have a four-year term of office and ran in 2023, you will serve your full four years, and if you decide to run for reelection, you will run at the 2027 election; however, it will only be for a three-year term. Then, in 2030, the term of office will return to four years.

Why aren't all local elections / all positions changed to even years?

Some positions, like town justices and county judges, have constitutional provisions that come into play and there would need to be an amendment to the

New York State Constitution to switch those elections to even years. A constitutional amendment would also be required for city elections, and therefore they are not included in the legislation. Finally, villages are not included as they have a different election cycle and conduct elections themselves.

*Sarah B. Brancatella
Legislative Director and Counsel
Association of Towns”*

AGENDA ITEMS

1. Approve: Accept Letter of Resignation from Town Planning Board:

Doug DeRue made the motion to accept the letter of resignation from the Town Planning Board from David A. Pinkney effective December 31, 2023.

Second: Todd Pipitone Vote: 4 Ayes. Carried

2. Approve: Recognize that the Court Bailiff has Graduated from Peace Constable Training:

Todd Pipitone made the motion to recognize that Patricia Burditt has graduated from Peace Constable Training School (under Police Constable) for the purpose of acting as our town/village bailiff.

Second: Brad Cook Vote: 4 Ayes. Carried

3. Approve: Contract: Highway Snow & Ice – 2024 with Wayne County:

Jim Welch made the motion to approve the Supervisor to sign (with approval from highway superintendent) the Snow and Ice removal Contract with Wayne County for 2024. This agreement commences on January 1, 2024, ending December 31, 2024.

Second: Doug DeRue Vote: 4 Ayes. Carried

4. Approve: Approve Date for Organizational Meeting in 2024:

Todd Pipitone made the motion to approve Tuesday January 2, 2024, at 7 PM, at the Palmyra Town Hall, for the Town of Palmyra 2024 Organizational Meeting.

Second: Brad Cook Vote: 4 Ayes. Carried

5. Approve: Resolution #13-2023: Authorize Budgetary Journal Entries to close the 2023 Fiscal Year:

Todd Pipitone made the motion to approve the Town Bookkeeper to make any necessary adjusting and budgetary journal entries in closing the 2023 fiscal year, as written:

Second: Jim Welch Vote: 4 Ayes. Carried

RESOLUTION #13-2023
AUTHORIZE BUDGETARY ADJUSTMENTS
TO CLOSE 2023 FISCAL YEAR- TOWN OF PALMYRA,
WAYNE COUNTY, NEW YORK STATE

BE IT RESOLVED that the Town Board of the Town of Palmyra authorizes the Town Bookkeeper to make any necessary budgetary journal entries in closing the 2023 fiscal year.

Adopted this 28th day of December 2023, at the regular meeting of the Palmyra Town Board.

6. Approve: Approve the Supervisor to sign the Insurance Renewal with Eastern Shore Associates: Todd Pipitone made the motion to approve the Supervisor to sign the Insurance Renewal with Eastern Shore Associates with any board changes that were noted in the acceptance quote.

Second: Brad Cook Vote: 4 Ayes. Carried

7. Approve: New Hire for Highway Department: Jim Welch made the motion to hire Kiel Hansen, for a full-time position at the Palmyra Highway Department beginning January 2, 2024.

Second: Doug DeRue Vote: 4 Ayes. Carried

8. Acceptance of Credit Cards in Town Clerk Office: Brad Cook made the motion to accept credit card payments, in person or by phone, for all payments received in the town clerk's office, except for any tax payments or water/sewer payments. This will cost the card holder 3% on any transaction.

Second: Todd Pipitone Vote: 4 Ayes. Carried

9. Approve: Supervisor and Town Clerk to sign agreement with Elavon (Community Bank) for credit card processing: Todd Pipitone made the motion to allow the Supervisor and Town Clerk to sign an agreement with Elavon (Community Bank) for credit card processing. This agreement can be cancelled at any time and is at no cost to the town, with all 3% charges directly added to the cardholder.

Second: Brad Cook Vote: 4 Ayes. Carried

10. Approve: RESOLUTION #14-2023 Authorizing Transfer of Funds: Todd Pipitone made the motion to approve Resolution #14-2023 Authorizing the Transfer of Funds, as written;

Second: Brad Cook Vote: 4 Ayes. Carried

RESOLUTION #14-2023 AUTHORIZE TRANSFER OF FUNDS

BE IT RESOLVED that the Town Board of the Town of Palmyra authorizes the transfer of funds in the amount of \$51,540.00 FROM General Fund appropriation line 81614.01.000.00 "Landfill- Contractual Expenditure" TO General Fund Refuse Reserve.

Adopted this 28th day of December 2023, at the regular meeting of the Palmyra Town Board.

11. Approve: Budget adjustments for 2023: Todd Pipitone made the motion to approve the following Palmyra Town Budget Adjustments for 2023, as written:

Second: Jim Welch Vote: 4 Ayes. Carried

**Town Of Palmyra
General Fund - Budget Adjustments
December 28,2023**

ACCOUNT#	ACCOUNT TITLE	INCREASE	DECREASE
10104.01.000.00 19904.01.000.00	Town Board Contractual Exp Contingency Account	276.45	(276.45)
11101.01.000.04 11104.01.000.00	Justices Pers Svcs /Court Bailiff Justices - Cont Exp	1,829.64	(1,829.64)
12202.01.000.00 12204.01.000.00 12201.01.000.00 90608.01.000.00	Supervisor Equipment Supervisor Cont Exp Supervisor - Pers Svc Medical & Dental Insurance	3,807.53 1,242.70	(2,343.56) (2,706.67)
13551.01.000.00 13574.01.000.00 13551.01.000.03 13554.01.000.00 19904.01.000.00	Assessor Pers Svcs Bd of Assessment Cont Exp Assessor - Pers Svcs/Part Time Assessor - Cont Exp Contingency Account	10,623.34 10.00	(2,369.56) (492.21) (7,771.57)
16204.01.000.11 16204.01.000.37 16204.01.000.10	Bldgs Cont Exp/Cleaning Bldgs Cont Exp/Repairs & Maint Bldgs Cont Exp/Gas & Electric	115.57 2,788.88	(2,904.45)
19504.01.000.00 19104.01.000.00	Taxes & Assess on Municipal Unallocated Insurance Cont Exp	15.60	(15.60)

REGULAR TOWN BOARD MEETING		December 28 th , 2023	
35104.01.000.00	Animal Control Cont Exp	1,594.95	
35104.01.000.13	Animal Ctrl Cont Exp/Dog Licensing		(1,123.71)
19904.01.000.00	Contingency Account		(471.24)
50101.01.000.03	Supt of Hwy Pers Svcs/Part Time	873.00	
50104.01.000.00	Supt of Hwy Cont Exp	2,150.23	
51324.01.000.00	Garage Cont Exp	8,108.40	
51322.01.000.00	Garage Equipment		(2,500.00)
51324.01.000.10	Garage Cont Exp/Gas & Electric		(2,975.79)
51324.01.000.11	Garage Cont Exp/Cleaning		(5,187.00)
51324.01.000.12	Garage Cont Exp/Phone & Internet		(468.84)
88104.01.000.00	Cemeteries Cont Exp	300.00	
19904.01.000.00	Contingency Account		(300.00)
90898.01.000.45	Other Employ Benefits	450.00	
97107.01.000.00	Debt Interest/Serial Bond	56.56	
19904.01.000.00	Contingency Account		(506.56)
TOTAL BUDGET ADJUSTMENTS:		34,242.85	(34,242.85)

MOTION TO APPROVE CLAIMS AND EXPENDITURES

Todd Pipitone made the motion to approve claims and expenditures for December 2023: Vouchers #2023- 1238 through #2023-1382 totaling \$110,695.56.

Second: Brad Cook Vote: 4 Ayes. Carried

MOTION TO ADJOURN

At 7:43 PM, Todd Pipitone made the motion to adjourn the meeting, and Mr. Rose wished all a Happy New Year!

Second: Doug DeRue Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Palmyra Town Clerk

ORGANIZATIONAL MEETING (If approved)
TUESDAY JANUARY 2ND, 2024
7:00 PM – PALMYRA TOWN HALL

NEXT REGULAR MEETING:
THURSDAY JANUARY 25TH, 2024
7:00 PM – PALMYRA TOWN HALL