

**TOWN OF PALMYRA
ANNUAL ORGANIZATIONAL MEETING
JANUARY 3, 2023**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Organizational Meeting, scheduled for Tuesday, January 3, 2023, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

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
Bradley Cook, Councilman
Doug DeRue, Councilman
Todd Pipitone, Councilman

ATTENDANCE

Highway Superintendent Mike Boesel was also in attendance.

COMMUNICATIONS

There were no official communications.

SPECIAL GUESTS

Mike Catalano, EMS Advisory Board, was unable to attend this evening.

SUPERVISOR APPOINTMENTS

The following appointments were designated and announced by the Town Supervisor Ken Miller:

Deputy Supervisor	James T. Welch
Clerk to Supervisor	Petra Anderson

TOWN BOARD LIAISON APPOINTMENTS

Supervisor Miller announced there would be slight changes from 2022 to his liaison appointments for 2023:

- **Public Works:** Councilman James Welch – Highway Department, Equipment and Facilities
- **Town Development:** Councilman Todd Pipitone - IT & Phones, Security, Fire Protection Contracts, and Strategic Comprehensive Plans
- **Government Operations:** Councilman Doug DeRue – Assessor, Youth & Aging, Code Enforcement/Planning Board, and Historian.
- **Human Services:** Councilman Bradley Cook - Town Clerk, Archives, and Town Hall Facility.
- **Supervision:** Supervisor Ken Miller – Animal Control, Human Resources, Justices, and Finance

Supervisor Miller pointed out that everyone needs to have workplace training. This includes all board members and part-time employees.

He also asked that Councilman Pipitone review and spearhead a workshop to discuss the Strategic Comprehensive Plan, so that thoughts can be reviewed at the June meeting.

Councilman Cook asked if there were any recommendations for someone to shovel this winter. Discussion ensued, and Mr. Cook will reach out to Andy Jacobs. He does plow as well as salting, so should already be insured for both.

OTHER ACTION ITEMS:

1. **Approve Staff Appointments:** Doug DeRue made the motion to approve the below list of Town of Palmyra Staff Appointments for 2023, retroactive to January 1st, 2023, as budgeted and approved in 2023 budget. This is with one proposed change, to make Councilman Cook the Budget Officer. Seconded by Jim Welch, and a roll call vote was requested.

Councilman Lambrix	Aye
Councilman Welch	Aye
Councilman Pipitone	Aye
Councilman Cook	Abstain
Supervisor Miller	Aye

Vote: 4 Ayes. Carried

<u>TITLE</u>	<u>NAME</u>	<u>STATUS</u> **
Supervisor	Kenneth F. Miller	FT
Town Clerk	Irene Unterborn	FT
Deputy Supervisor:	James Welch	PT
Highway Superintendent	Mike Boesel	FT
Budget Officer:	Brad Cook	PT
Town Historian:	Bonnie and Steve Hays	PT
Zoning Enforcement Officer & Building Inspector:	Patrick Sheridan	FT
Deputy Zoning Enforcement Officer & Building Inspector:	Robert Grier	PT
Secretary to Code Enforcement Officer, Secretary to the Assessor, and Secretary to the Book Keeper Animal Control Officer &	Julie Hartman	FT
Rabies Responder:	Tracy Brown	PT
Deputy Town Clerk:	Heidi V. Jarvis	FT
Part-time Clerk/Record Co-ordinator:	Heidi Schukraft	PT
TC Office Clerk	Sheelah Zink	As needed
Records Management Officer:	Irene E. Unterborn	FT
Clerk to the Supervisor:	Petra Anderson	FT
Registrar (4 yrs-thru December 31, 2023)	Irene E. Unterborn	FT
Deputy Registrar:	Heidi V. Jarvis	FT
Deputy Highway Superintendent:	Michael Paul	FT
Bingo Inspector:	Pat Sheridan	As needed
Health Officer (4 yr-thru Dec 31, 2023):	Daniel Harris, MD	As needed
Court Clerk:	Patricia Peterson	PT
Appointed Assessor:	Joan Gates	PT
Clerk to Highway Superintendent:	Mary Beth Braman	PT
EMS Advisory Board Representative (12/31/2023)	Mike Catalano	As needed
Wayne County Fire Advisory Board (12/31/2023)	Warren Frederick	As needed
Special Counsel	Boylon Code, Attorneys at Law	As needed
Special Counsel & Deputy Town Attorney	John Morell	As needed
Town Attorney	Paul Rubery	As needed

** FT = Full-time PT= Part-time

2. Approve Salaries: Todd Pipitone made the motion to approve salaries for the Supervisor, Councilpersons, Town Clerk, Highway Superintendent, Justices, Full and Part-time Staff as budgeted and approved in the 2023 budget.

Second: Doug DeRue Vote: 4 Ayes. Carried

3. Authorize Petty Cash Amounts: Todd Pipitone made the motion to authorize the following petty cash in the Town Clerks Office:

Second: Brad Cook Vote: 4 Ayes. Carried

- Petty Cash funds - **\$200**
- Town Clerk’s Office Drawer - **\$100**
- Water Payments Collector - **\$100**
- Tax Collector (School & Town/County) - **\$100 each**

4. **Designate Official Newspaper:** Todd Pipitone made the motion to designate the *Times of Wayne County* as the town's official newspaper for 2023.

Second: Brad Cook

Vote: 4 Ayes. Carried

5. **Designate Official Board Meeting Nights:** Todd Pipitone made the motion to designate the following dates as meeting nights for the Palmyra Town Board for 2023:

- 2nd Tuesday of month, at 7 p.m. - Workshop and/or business meeting—as needed
- 4th Thursday of month, at 7 p.m. - Regular business meeting at the Palmyra Town Hall with the following exceptions:
 - Regular business meetings in April & October to be held in East Palmyra.
 - November 2023 meeting will be on Tues. November 21st

Second: Jim Welch

Vote: 4 Ayes. Carried

6. **Designate Official Depositories:** Todd Pipitone made the motion to designate Canandaigua National Bank and Community Bank, NA as Official Town Depositories.

Second: Doug De Rue

Vote: 4 Ayes. Carried

7. **Pre-payment of Specific Items:** Todd Pipitone made the motion to authorize the following items to be paid prior to the monthly board meetings: Utilities, Hospitalization, Payrolls, Postage, Disability Insurance, Social Security, Credit Cards and Retirement.

Second: Brad Cook

Vote: 4 Ayes. Carried

8. **Agreement to Spend Town Highway Funds-2023:** Todd Pipitone made the motion to approve the *Agreement to Spend Highway Funds* "pursuant to the provisions of section 284 of the Highway Law,...monies levied and collected for the repair and improvement of highways..." The sum totaling \$755,348.00 may be expended for general repairs upon 47.11 miles of town highway.

Second: Jim Welch

Vote: 4 Ayes. Carried

This agreement will be **ATTACHMENT A**.

15. Establish Rate for Mileage Re-imbursement: Brad Cook made the motion to approve the current mileage re-imbursement of \$.62.5 per mile. (As per IRS & Wayne County rate for 2023)

Second: Doug DeRue Vote: 4 Ayes. Carried

16. Appoint: Board Representative to Wayne County Cable TV Council: Todd Pipitone made the motion to appoint Ken Miller as representative to the Wayne County Cable TV Council.

Second: Brad Cook Vote: 4 Ayes. Carried

17. Approve: Resolution #4-2023 Official Undertaking of Municipal Officers: Todd Pipitone made the motion to approve Resolution #4-2023 Official Undertaking of Municipal Officers, as written. Seconded by Jim Welch, and a roll call vote was requested.

Councilman Lambrix Aye
Councilman Welch Aye
Councilman Pipitone Aye
Councilman Cook Aye
Supervisor Miller Aye

Vote: 5 Ayes. Carried

RESOLUTION #4-2023
TOWN OF PALMYRA
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, Kenneth F. Miller, of the Town of Palmyra, County of Wayne, New York, has been elected to the Office of Supervisor of the Town of Palmyra, and

WHEREAS, Petra I. Anderson, of the Town of Palmyra, County of Wayne, New York, has been appointed to the Office of Bookkeeper of the Town of Palmyra, and

WHEREAS, Irene E. Unterborn, of the Town of Palmyra, County of Wayne, New York, has been elected to the Office of Town Clerk of the Town of Palmyra, and

WHEREAS, Irene E. Unterborn, of the Town of Palmyra, County of Wayne, New York, has been appointed to the Office of Town Tax Collector of the Town of Palmyra, and

WHEREAS, Sherman Yates and Terry C. Rodman, of the Town of Palmyra, County of Wayne, New York, have been elected to the Office of Town Justice of the Town of Palmyra, and

WHEREAS, Patricia O. Peterson, of the Town of Palmyra, County of Wayne, New York, has been appointed to the Office of Court Clerk of the Town of Palmyra, and

WHEREAS Tracy Brown, of the Town of Palmyra, County of Wayne, New York, has been appointed as Animal Control Officer, Constable, and Rabies Responder for the Town of Palmyra, and

WHEREAS, Michael E. Boesel, of the Town of Palmyra, County of Wayne, New York, has been elected to the Office of Superintendent of Highways of the Town of Palmyra, and

NOW, THEREFORE, we, as respective officers and appointees above, do hereby undertake with the Town of Palmyra that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer or appointee, in accordance with the law; and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

This undertaking of the Bookkeeper is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Bookkeeper; and

This undertaking of the Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk; and

This undertaking of the Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector; and

This undertaking of the Town Justices is further conditioned that they will well and truly keep, pay over and account for all moneys and property coming into their hands as such Town Justices; and

This undertaking of the Court Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Court Clerk; and

The Town does and shall maintain insurance coverage, presently with National Grange Insurance Company, (Policy # F01415412Y), in the sum of \$2,000,000.00 each for the Supervisor and Book Keeper, and \$1,000,000.00 for the Town Clerk, to indemnify against losses through the failure of the officers, clerks and employees covered there under faithfully to perform their duties or to account properly for all moneys or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered there under.

Dated: January 3, 2023

18. Approve: Public Hearing Date for Local Law#1-2023: Todd Pipitone made the motion to approve public hearing date of January 26, 2023, at 7:00 PM to discuss Local Law #1-2023 Adopting a Cold War Veterans Tax Exemption, as below:

Second: Doug DeRue

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.

19. Approve: Designation of the Town Clerk to Represent the Town of Palmyra at the 2023 Association of Towns Meeting: Brad Cook made the motion to designate the town clerk, Irene Unterborn as representative for the Town of Palmyra at the 2023 NYS Association of Towns Meeting Feb. 19, 2023 thru Feb. 22, 2023.

Second: Todd Pipitone Vote: 4 Ayes. Carried

20. Approve: Cost of Attending 2023 Association of Towns Meeting: Brad Cook made the motion to approve the cost of attending the 2023 Association of Towns meeting in New York City including travel, accommodation, registration, mileage, and meals, not to exceed \$1,650.00

Second: Doug DeRue Vote: 4 Ayes. Carried

21. Approve: Member to the Palmyra Zoning Board: Todd Pipitone made the motion to approve Bryant Sues to the Town of Palmyra Zoning Board, commencing January 1st, 2023 and ending December 31st, 2023. Seconded by Doug DeRue, and a roll call vote was requested.

Councilman Lambrich	Aye
Councilman Welch	Aye
Councilman Pipitone	Aye
Councilman Cook	Aye
Supervisor Miller	Aye

Vote: 5 Ayes. Carried

INFORMATIONAL ITEMS

1. New List of Board Members and Meeting Dates: (ATTACHMENT E)
These are all found in the www.palmyrany.com website.

Before adjourning the meeting, Brad Cook asked Mr. Miller if there had been any further progress with cancelling the phone service from TPX at the highway department so they can start service with Integrated Systems. Mr. Miller said there had not been any communication, but he did not see why there would be a problem overlapping service for a month since TPX phones had not worked for the past 2 years!!!

Adjourn Meeting: At 7:35 PM, Brad Cook made the motion to adjourn the meeting.

Second: Jim Welch

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

ATTACHMENT A: AGREEMENT TO SPEND HIGHWAY FUNDS

ATTACHMENT B: RESOLUTION #1-2023 ADOPT RULES OF
PROCEDURE FOR 2022

ATTACHMENT C: RESOLUTION #2-2023 APPROVE PURCHASING
POLICY AND PROCEDURES

ATTACHMENT D: RESOLUTION #3-2023 APPROVE INVESTMENT
POLICY

ATTACHMENT E: LIST OF BOARD MEMBERS AND MEETINGS

REGULAR MEETING:
THURSDAY, JANUARY 26th, 2023, 7:00 P.M.
AT THE PALMYRA TOWN HALL