

**REGULAR MEETING OF THE TOWN BOARD  
PALMYRA TOWN HALL  
April 25<sup>th</sup>, 2024**

At 7:00 p.m., Supervisor Gary Rose called to order the regular Town Board meeting, scheduled for Thursday, April 25<sup>th</sup>, 2024, at the East Palmyra Fire Hall, 2145 Tellier 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

Todd Pipitone made the motion to approve minutes from the Regular Town Board meeting on March 28<sup>th</sup>, 2024, with correction of abstract to total \$241,986.60.

Second: Doug DeRue      Vote: 4 Ayes. Carried

Councilman Pipitone abstained as he was absent.

**ATTENDANCE**

Also in attendance: Mike Catalano (EMS Advisory Board), Chuck & Julie Hartman, Don Wilkins, Casey Carpenter (Times of Wayne County), John Rush, Jeanne Garlock, Marc Carrier, Tracy Vanderwall, Chris McPherson, Liz McPherson, Jean Knapp, Mike Boesel, Jaida Kent, Melea Kuzmenko, Ava Correa and other residents.

**HEARING**

There was no official hearing this evening.

**GUEST SPEAKER**

Mike Catalano, our representative from the Wayne County EMS Advisory board, stated that we may have over planned for the April 8<sup>th</sup> Eclipse (due

to our cloudy weather), but that was a good thing as it showed that we can be prepared for emergencies. He also reported that there were only 6-7 calls that FLA could not cover, and the first of 4 EMS bases will open in Lyons this summer. The next location will be in Sodus and should be done this summer. He will be coming to the Palmyra Town Hall soon to replace the pads on the AED machines.

### COMMUNICATIONS RECEIVED

A letter was sent to Supervisor Rose, was shared with the board, and read allowed by the Town Clerk at the board meeting. Ms. Garlock was writing to show her support for Real Property Tax Law 466, granting a 10% exemption for firefighters in our district. Supervisor Rose commented that while attending the East Palmyra Fire Banquet, he was able to speak with many members. He has asked Councilman DeRue to look into this exemption, along with village board & village fire department, so it can be discussed during the upcoming budget process.

April 2, 2024

Dear Supervisor Rose,

My name is Jeanne Garlock and I am a member of the ladies auxiliary of the East Palmyra Fire Department.

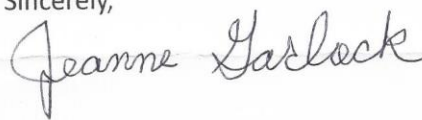
I am writing to the Town Board to consider and approve the Real Property Tax Law 466. It was approved by the county last year and each town has to decide whether or not to adopt it. This would provide a 10% exemption for Fire Fighters living within our district who pay taxes to the Town of Palmyra.

Not all of our members meet the criteria because they rent or live out of our fire district.

My late father was a 63 year member of East Palmyra Fire Department so I know first hand the time and commitment it takes to keep our community safe.

Your consideration would be greatly appreciated.

Sincerely,



Jeanne Garlock

4728 Tellier Rd.

Newark.NY

## PUBLIC INPUT

1) **Marc Carrier, residing on Garnsey Rd, spoke** "Regarding 2 points; the apparent taking of the former O'Meal property in East Palmyra with no current environmental impact and the complete and astonishingly hazardous conditions the Town of Palmyra owned Garnsey Rd landfill has been left after unearthing almost every square inch of the cover several months ago leaving it ever easier for toxins to be washed out onto and into neighboring properties and gasses to rise affecting the entire area." (This taken directly from his emailed request to address the board) Mr. Carrier submitted the following written statement that he had read allow to the board.

10F4

MARC CARRIER                      APRIL 25 2024  
 519 GARNSEY RD.  
 PALMYRA NY 14522

TOWN BOARD PALMYRA,  
 SUPERVISOR ROSE.

IN REGARDS TO ANY FUTURE ACTIVITY  
 AT THE INACTIVE LANDFILL ON GARNSEY RD.  
 AS MR. ROSE IS AWARE, FRANK VASILEKUNAS  
 RICHARD HAGARD AND MYSELF HAVE ALL  
 SOUGHT TO UNDERSTAND PROPOSAL & RECOM-  
 MENDATIONS THAT HAVE BEEN MADE BY  
 LABELLA ORGANIZATION. WE HAVE BEEN  
 TOLD THIS WOULD NOT BE RELEASED  
 UNTIL DEC. OF N.Y. HAS APPROVED. GIVEN  
 THE TIME SPAN THAT THIS PROPERTIES HAS  
 BEEN LEFT UNEARTHED OVER THE PAST  
 SEVERAL MONTHS WE ARE MORE CONCERNED  
 THAN EVER FOR THE SAFETY OF OUR FAMILIES  
 AND HEALTH OF OUR OWN ADJACENT PROPERTIES.  
 WE EXPECT A BRIEFING AND WOULD  
 FORMALLY REQUEST A COPY ~~OF~~ LABELED  
 AS "DRAFT" SO WE MAY BE MADE AWARE

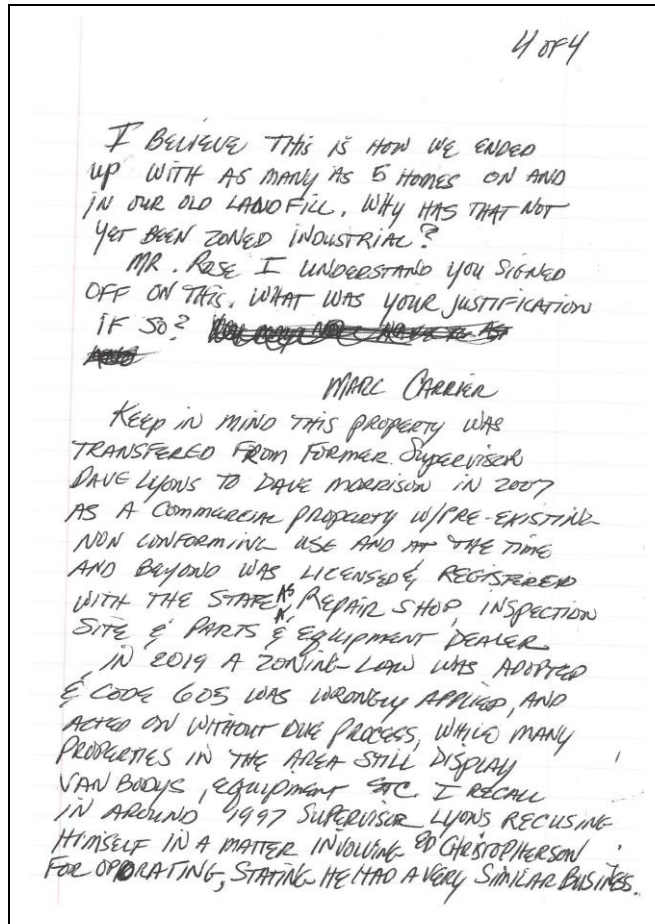
2 of 4

AND HAVE SOME INPUT,

AS TO THE FORMER O'NEAL TRACTOR PROPERTY AT 8351 LYON RD. I UNDERSTAND THE WAYNE COUNTY LAND BANK WHICH IS A NGO (NOT GOVERNMENTAL AGENCY) FUNDED WITH STATE MONEY HAD APPROACHED THE TOWN & REQUESTED THIS PROPERTY ONCE THE PROPERTY COMES INTO COUNTY OWNERSHIP BY WHICH ~~REMOVING~~ KEEPING THIS PROPERTY FROM ENTERING INTO THE COUNTY FORECLOSURE ACTION, AND GIVE THE PUBLIC A CHANCE TO BID ON THIS PROPERTY? I WOULD LIKE DOCUMENTS AS TO WHO & WHY. WHAT IS THE MEASURE OR CRITERIA FOR A PROPERTY TO BE HANDLED THIS WAY? IF IT WERE ANY ACTIVE HAZARDS THIS WOULD HAVE BEEN ADDRESSED IN THE TOWN CLEANUP OF THIS PROPERTY W/ K&D DISPOSAL WHICH I UNDERSTAND TO BE A LARGE PART OF THE LEVY TO WHICH MY HAVE BEEN RECORDED AT AUCTION.

3 of 4

I WOULD REMIND YOU THAT ACTION IS STILL BEING REEVALUATED AS AN ~~SHUN~~ ILLEGAL TAKING OF PROPERTY UNDER THE ~~COLOR OF LAW~~ COLOR OF LAW, AND I WILL QUOTE YOUR OWN ATTORNEY PAUL FURBERG AS SAYING "THEY NEVER SHOULD HAVE TAKEN ANYTHING OUT OF THE BUILDINGS. BUILDINGS BY THE WAY THAT MAKE THIS PROPERTY LIKELY WORTH OVER \$OD, OOD. EXPLAIN TO ME AGAIN WHY THIS PROPERTY IS NOT BEING OPEN UP FOR PUBLIC AUCTION & GIVE A PRIVATE INDIVIDUAL AN OPPORTUNITY TO RENT IF THERE IS A NEED. IT SOUNDS LIKE CONTROL OF THE OLD BOYS CLUB WANTING TO CHOOSE THE NEXT OWNER. I WILL REMIND YOU OF THE ZONING ISSUES, I HAVE SAID TO THIS BOARD BEFORE, YOU CAN'T ZONE A PROPERTY WHATEVER YOU WANT IT TO BE WITHOUT CONSIDERING WHAT IT HAS BEEN FOR OVER 100 YEARS IN THIS CASE, COMMERCIAL COUNTLESS DECADES OF USE, DICTATES ZONING."



**2) Chris McPherson, residing at 4304 Hogback Hill Road,** addressed the board regarding a water issue on his property. An e-mail from Mr. McPherson was sent to the board on April 17, 2024, to outline his concerns and to share the FOIL information that was provided last year. He stated that he would like to come to some resolution and have paperwork drawn up to outline a plan and permits so that everyone is “on the same page”. He had contacted Supervisor Rose who came out and met with him, and it was agreed that now Mike Boesel (Highway Superintendent) will contact Mr. McPherson to set up a meeting with both Chris McPherson and Tracy Vanderwall. It was also agreed that from now forward everything will be put in writing, and/or emailed to all parties involved.

**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, HUMAN RESOURCES, JUSTICES, AND FINANCE: -Supervisor Gary Rose**

**1. Old Landfill Update:** Mr. Rose reported there is nothing new currently and that we are still waiting for the submitted closure plan from Labella to DEC. This report update is expected next week from LaBella's. Mr. Rose also stated that there are many ideas being discussed, and that a lot has changed in the past years as to what the plan will be.

**2. Non-Exclusive Water Tank Attachment Lease Agreement:** A copy of the lease agreement between the Town of Palmyra and the County of Wayne, E911 Services, was sent to the board for review. As the board had no changes, so the lease will continue as is for another auto renewal period of 5 years. The water tank with attachment (antenna) is located on North Creek Rd.

**3. Health Insurance Step Schedule for Retirees:** The step schedule for health insurance has been revised per board instructions with a new formula for retirees and will be coming up for vote later in meeting.

**PUBLIC WORKS: HIGHWAY DEPARTMENT, EQUIPMENT AND FACILITIES: -Councilman James Welch**

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

**HIGHWAY SUPERINTENDENT REPORT  
FOR TOWN BOARD MEETING  
4/25/24**

Since the 3/28/24 Town Board meeting we have completed the following work:

- **Plowing/Sanding** – We made 0 trips since the March meeting. To end this winter season, we have made a total of 50 trips out of the barn. A comparison to this point of the past 5 winter seasons is below:
  - April 2023 - 59 trips.
  - April 2022 – 92 trips.

- April 2021 – 71 trips.
- April 2020 – 88.5 trips.
- April 2019 – 114 trips.

Other miscellaneous items include:

- **Salt Orders** – Our last salt order was February 20th. For the winter season we used 1041 tons of our 2500-ton allotment, or approximately 41%. The salt barn is currently at 1/2 capacity, and the mix barn is 1/3 capacity. We only need ~210 tons to meet our 50% requirement, but we'll obviously need more to fill both barns. Salt currently costs ~\$60/ton and we still have \$24k and \$75k unexpended in our 2 salt line items. I plan to fill the barns later this summer. We will be in good shape to start the next season.
- **CHIPs/PAVE/EWR/POP Funding** – The NYS 24-25 Budget finally passed. The Governor had proposed cuts to our transportation funding. However, through the negotiation process, the Assembly and Senate both re-instated our funding levels. We should be receiving similar annual funding amounts for our CHIPs, PAVE, EWR and POTHOLE. I will get official totals from NYS DOT in the coming weeks.
- **Inspections:**
  - Fire Extinguishers – all Hwy Dept fire extinguishers are scheduled for inspection in May by P.A.T.I.
  - Vehicle Inspections – all Hwy Dept vehicles have received annual inspections thru April 2024.
  - Chainfall Inspection – our annual chainfall inspections are in the process of being scheduled.
  - Lifting Chains - all our lifting chains were inspected by Cook Iron on April 9th.
  - Oil/Water Separator – annual pump-out is in the process of being scheduled with NOCO.
- **Training/Personnel** – Next Tuesday morning, 4/30/24, the entire crew is attending a Work Zone Safety Seminar at the Ontario County Safety Training Facility. This is a free seminar put on by our insurance provider, NYMIR. I understand about 90+ are registered for the event, including our entire crew.
- **Winter Equipment and Yard Cleanups** – Most of our winter equipment was serviced and slowly put away over the past couple weeks, including cleaning and spraying our sanders/salters and

painting plow equipment. We have also completed snow fence removal, road sweeping, and our yard damages from snowplowing.

- **New & Surplus Equipment** – This year would have marked our 38<sup>th</sup> anniversary of the Palmyra Auction. Instead, we hope to surplus some equipment via the new RTI – Municipal Only Net Auction from May 17-21<sup>st</sup>. We have (2) pickups and (1) 10-wheeler for consideration below:
  - (C4) 2015 Ford F250 XL 4x4 (~104,924 mi) replaced with 2023 model arrived 6/20/23
  - (C3) 2013 Ford F350 XL DRW service truck (~62,000 mi) replaced with 2023 model – 4/9/24
  - (T28) 2000 Mack RD688S 10-wheel dump (~139,175 mi) spare dump truck.
  - (E62) Tomorrow our new 2024 JD 644P loader will be delivered and our 2019 JD 644K loader will be traded-in. Thank you for these replacement items!!!
  
- **SAM Grant** –We have received responses from vendors but are in the process of asking clarification questions at this time. Next month we hope to be ready to discuss this project.
  
- **Solar Day** – 4/8 was the much-anticipated total solar eclipse. Although we did not experience the full effect of seeing the eclipse, WC Emergency Management Coordinator George Bastedo and Sheriff Milby both summed up the event as a great exercise in cooperation with other agencies and they appreciated the help.

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

**HUMAN SERVICES: TOWN CLERK, ARCHIVES, AND TOWN HALL FACILITY**  
- Councilman Bradley Cook

**1. Town Clerk Report for April:** The April Town Clerk report will be combined with the May report as I just returned from NYSTCA Conference. The supervisor has received the Town Clerk office monthly financial report for March.

**TOWN BUILDING AND GROUNDS COMMITTEE:**  
– Councilmen Cook & Derue and Town Clerk Irene Unterborn

**1. Building Update:** Outdoor tree trimming, weed clean up, and mulch has been done at the Town Hall. Meetings with contractors are being made to address other projects that need to be done.



**TOWN DEVELOPMENT: IT & PHONES, STRATEGIC (COMPREHENSIVE)  
PLANS, CODE ENFORCEMENT/PLANNING BOARD AND SECURITY:**

- Councilman Todd Pipitone

**1. Comprehensive Plan:** Information has been updated on the Palmyra website with meeting details of the steering committee from April 15<sup>th</sup>, as well as all other plan reports. The town clerk and Councilman Pipitone have their standing project check-in meeting this Friday and will discuss progress on the comp plan and the upcoming “confirmation of direction” meeting with the Village and Town Boards. There is a joint meeting planned for Monday May 13<sup>th</sup>, which will include the steering committee members, both village and town boards and MRB Group facilitators.

**2. CEO Report for April:** Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that includes a list of building permits and certificates of compliance for March 26<sup>th</sup>, 2024, through April 23<sup>rd</sup>, 2024.

**3. Minutes from Zoning Board Meeting from April 2024:** None from this month.

**4. Minutes from Planning Board Meeting from April 2024:** The minutes for the Planning board meeting were shared with the town board.

**GOVERNMENT OPERATIONS: ASSESSOR, FIRE PROTECTION CONTRACTS,  
YOUTH & AGING, AND HISTORIANS:**

- Councilman Doug DeRue

**1. Assessor’s Report for April:**

**REPORT TO THE TOWN BOARD FROM THE ASSESSOR’S OFFICE**

**April 2024**

I attended the Wayne County Assessors meeting on April 9<sup>th</sup>.

Exemption processing is complete, and letters will go out late this week or early next week for Enhanced STAR and for Limited Income Senior applications.

File updates have been completed and our tentative file was submitted to the County on April 20<sup>th</sup>.

Assessment Change notices will be mailed Friday.

Tentative Roll will be available online and in hard copy to review in or about the first week of May.

Residents are encouraged to call or come into the office to discuss assessments with the Assessor.

The Board of Assessment Review will meet on Tuesday May 28<sup>th</sup> from 3:00-5:00PM and 6:00 - 8:00PM

There are 20 March sales. 3 Village and 17 Town sales. There is 1 Parcel split request.

The following are the sales/transfers for February.

<b>February 2024 Sales/Transfers</b>						
<b>MAP #</b>	<b>HS #</b>	<b>STREET</b>	<b>**</b>	<b>SALE \$</b>	<b>SALE DATE</b>	<b>TAV 2024</b>
64111-11-503654	125	Gates	**	0		<b>149,500</b>
64111-16-774449	319	E Foster		168,000		<b>124,400</b>
64111-11-651528	107	E Charlotte	**	0		<b>154,000,</b>
64113-00-530943		Sherwood	**	0		<b>10,900</b>
64113-00-523901		Sherwood	**	0		<b>4,100</b>
66111-00-478812		Hogback Hill	**	0		<b>175,600</b>
65111-00-904574		Hammond	**	0		<b>68,900</b>
65111-00-950076	1182	Garnsey	**	0		<b>1,362,900</b>
65110-00-729969		Vienna	**	0		<b>306,900</b>
66111-00-207069		Garnsey	**	0		<b>32,700</b>
65110-00-076886	879	Johnson	**	0		<b>196,200</b>
65110-00-078872	869	Johnson	**	0		<b>167,000</b>
66113-00-438328		Jagger	**	2,827		<b>8,500</b>
66113-00-093185		Harris	**	18,031		<b>10,900</b>
66113-00-077127		Harris	**	1,000		<b>100</b>
64112-15-511293	1990	Maple	**	202,000		<b>175,000</b>
66113-00-467046	2592	Newark Marion	**	0		<b>95,200</b>
64113-00-415102	2627	Maple		454,024		<b>331,900</b>
64111-00-586209	1133	Rt 21 S	**	66,667		<b>241,600</b>
64112-15-565268	1956	Meadow	**	0		<b>183600</b>
TAV - Total Assessed Value			**	Indicates a Non Arm's Length sale/Transfer		

Please let me know if you have any questions.

Thank you, Paula Ruthven

Councilman DeRue also noted that he will soon begin negotiations for fire contracts.

**INFORMATION**

Palmyra's Town Wide Yard Debris Spring Cleanup Dates are May 28<sup>th</sup> – May 31<sup>st</sup>, 2024. The highway department will be making one trip townwide, so please have your debris (not logs or acreage clearing!) in front of your property by 8 AM on May 28<sup>th</sup> as they do not know which day they will be on your street.

**TOWN AGENDA ITEMS**

**1. Approve: Hearing Date for Local Law #1-2024 Real Property Tax Levy Limit:** Todd Pipitone made the motion to approve a public hearing of the Palmyra Town Board in the County of Wayne and State of New York on May 23rd, 2024, at 7:00 PM at 1180 Canandaigua Rd, Palmyra, New York, to discuss the proposed Local Law #1-2024 "Real Property Tax Levy Limit". This is an annual law per NYS!

Second: Doug DeRue      Vote: 5 Ayes. Carried

**LOCAL LAW #1 – 2024 “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 2024 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 2024 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

**2. Approve: Purchase of E-ZPass® On-The-Go:** Todd Pipitone made the motion to approve the purchase of 25 E-ZPass® On-The-Go, for sale in the Town Clerk’s office. This is a budgeted purchase, not to exceed \$525.00. The town will earn \$4.00 per pass sold.

Second: Brad Cook      Vote: 5 Ayes. Carried

**3. Approve: Bid received from Frederick’s Lawn & Landscape for Lawn Cutting:** Todd Pipitone made the motion to approve the bid received from Frederick’s Lawn & Landscape for lawn cutting of properties in violation of Chapter 605 in the Town of Palmyra. The fee would be \$125.00 for lawns under eight inches high (double cut), and \$200.00 for lawns over eight inches high (double cut).

Second: Doug DeRue      Vote: 5 Ayes. Carried

**4. Approve: Agreement with Wayne County for Mowing on County Roads:** Todd Pipitone made the motion to approve, and Jim Welch seconded to get this motion “on the table”. Supervisor Rose then asked that this motion be tabled as we do not have the contract yet.

Second: Doug DeRue      Vote: 5 Ayes. Carried **TABLED**

**5. Approve: Retirement Health Insurance Step Schedule:** Todd Pipitone made the motion to approve the changes to the Town health insurance step schedule, as written:

Brad Cook seconded the motion, and a roll call vote was requested.

Councilman Welch	Aye
Councilman Cook	Aye
Councilman DeRue	Aye
Councilman Pipitone	Aye
Supervisor Rose	Aye

Vote: 5 Ayes. Carried.

**“Health Insurance Benefits for employees who retire after January 1, 2024:**

*Full-time salaried, hourly, and elected employees hired after January 1, 1987, who retire from the Town of Palmyra after January 1, 2024, at the age of 55 will be entitled to participate in the medical and/or dental plan as a single member. The cap imposed will be subject to the numbers of years of full-time employment with the town. The retiree’s spouse is entitled to participate in the Town’s medical and/or dental plan by paying the full cost of coverage.*

*15 years of service - \$360.00 per month*

*20 years of service - \$395.00 per month*

*25 years of service - \$430.00 per month*

*30 years of service - \$465.00 per month*

*The Town will permit retired employees who choose not to participate in the Town’s health insurance plan to receive contributions from the Town toward their health insurance.*

*The Town upon proof of payment of the coverage will reimburse the retiree for the cost of coverage up to the cap which the Town had adopted at the time of their retirement. Medicare premiums are exempt for re-imbusement. “*

**6. Approve: Declare 3 Trucks as Surplus:** Todd Pipitone made the motion to declare the following vehicles as surplus to be sold via the RTI – Municipal Only Net Auction from May 17-21<sup>st</sup>, 2024.

Second: Doug DeRue Vote: 5 Ayes. Carried

- (C4) 2015 Ford F250 XL 4x4 (~104,924 mi) replaced with 2023 model arrived 6/20/23
- (C3) 2013 Ford F350 XL DRW service truck (~62,000 mi) replaced with 2023 model – 4/9/24
- (T28) 2000 Mack RD688S 10-wheel dump (~139,175 mi) spare dump truck.

**7. Approve: Emergency Purchase of an Air Compressor for Highway Department:** Todd Pipitone made the motion to approve the emergency purchase of an air compressor for the highway department, not to exceed \$6,000.00.

Second: Doug DeRue Vote: 5 Ayes. Carried

**MOTION TO APPROVE CLAIMS AND EXPENDITURES**

Todd Pipitone made the motion to approve claims and expenditures for April 2024: Vouchers #2024-389 through #2024- 488 totaling \$124,884.62.

Second: Doug DeRue                      Vote: 5 Ayes. Carried

**MOTION TO ADJOURN**

At 7:27 PM, Todd Pipitone made the motion to adjourn the meeting.

Second: Doug DeRue                      Vote: 5 Ayes. Carried

Respectfully submitted,

Irene Unterborn  
Palmyra Town Clerk

**NEXT MEETING:  
REGULAR TOWN BOARD MEETING  
THURSDAY, MAY 23<sup>RD</sup> , 2024  
7:00 PM – PALMYRA TOWN HALL**