

**PUBLIC HEARING & REGULAR MEETINGS OF THE TOWN BOARD
PALMYRA TOWN HALL
May 23rd, 2024**

At 7:00 p.m., Supervisor Gary Rose called to order the public hearing and regular Town Board meeting, scheduled for Thursday, May 23rd, 2024, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

HEARING

The following is the legal notice that had been printed in the Town's official newspaper, *The Times of Wayne County*, and posted on the Town Hall's bulletin board before the hearing, in accordance with law.

**LEGAL NOTICE OF PUBLIC HEARING
OF PROPOSED LOCAL LAW**

PLEASE TAKE NOTICE that there will be 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".

1. That the said Local Law is to read as follows:

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.

Irene E. Unterborn, Palmyra Town Clerk

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

PUBLIC HEARING

OPEN PUBLIC HEARING FOR - LOCAL LAW #1- 2024 “Real Property Tax Levy Limit”

At 7:00 PM, Supervisor Rose made the motion to open the Hearing for the Local Law #1-2024 “*Real Property Tax Levy Limit*”, and explained this does not mean we will go over the limit.

Second: Brad Cook

Vote: 5 Ayes. Carried

Supervisor Rose asked those in attendance three times if there were any questions or comments. Gigit Graham, residing on Liberty Street in the Village of Palmyra, stated that she hoped the town would stay under the 2% tax cap, and wondered if the town had checked the legitimacy of the numerous properties that are not on the tax rolls. Supervisor Rose explained that he believed the assessor did review those properties, that the board tries every year to stay under the cap, and that this is an annual resolution per the state. Councilman Pipitone reiterated that this law is to cover any unfunded mandates that are passed down from the Governor as well as any unforeseen projects that may arise.

CLOSE PUBLIC HEARING

At 7:03 PM, as there were no further questions, Todd Pipitone made the motion to close the hearing.

Second: Doug DeRue

Vote: 5 Ayes. Carried

OLD BUSINESS

There was no “old business” to review.

REGULAR AGENDA

Doug DeRue made the motion to approve minutes from the Regular Town Board meeting on April 25th, 2024, as well as the Town & Village Joint Meeting (with MRB and Comprehensive Plan Steering Committee) on May 13th, 2024.

Second: Jim Welch Vote: 5 Ayes. Carried

ATTENDANCE

Also in attendance were Michelle Rose, Assessor Paula Ruthven, Linda Valley, Mary Ann Williams, Gigit Graham, Erin Zelic, Shaelyn Nye, Shannon Bliss, Kim Lucianovic, and Highway Superintendent Mike Boesel.

EMS BOARD REPRESENTATIVE

Mike Catalano, our Wayne County EMS Advisory Board representative was unable to attend.

COMMUNICATIONS RECEIVED

None this evening.

PUBLIC INPUT

Kim Lucianovic, from East Palmyra Fire Department Ladies Auxiliary and resident of East Palmyra addressed the board regarding Property Tax Law 466, potentially granting a 10% exemption for Fire Fighters living within our district. She explained that this would only effect perhaps up to 40 households as some fireman and auxiliary members live outside the town of Palmyra, and that some are renters. The supervisor stated that the board is already keeping this in mind for the upcoming budget, and that Councilman DeRue is currently negotiating fire contracts. Mr. DeRue is also speaking with the mayor regarding this exemption so that it could work for all serving in Palmyra.

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. Supervisor's Monthly Financial Report: The Supervisor had received the Bookkeepers monthly financial report for April.

2. Old Landfill Update: Supervisor Rose invited Michael Pelychaty and Dan Knoll from LaBella Associates Rochester Investigation & Remediation to give an update on the Old Palmyra Landfill.

The following timeline, costs (to date), and plan were shared with the public, and discussion ensued. Included in this were the 4 options to close the landfill. Details were included in the written report.



OLD GARNSEY RD LANDFILL UPDATE

Location: Town of Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra NY
 Date: May 23, 2024
 Time: 7:00pm

AGENDA ITEMS

1. Work Completed to Date
 - 2018- 2019**
 - Town issued letter from NYSDEC on December 20, 2018 requested access to landfill to conduct site characterization to determine potential for hazardous waste to be disposed of at the landfill. Town choose to complete their own investigation.
 - NYSDEC Order On Consent No. CO 8-20190125-16 (executed on July 12, 2019) to complete Records Search Report.
 - LaBella completed Records Search Report and Site Characterization Work Plan.
 - 2020**
 - LaBella completed Site Characterization. Draft Site Characterization Report completed.
 - 2021**
 - LaBella issued Final Site Characterization Report.
 - NYSDEC requested supplement Site Characterization Work Plan to address surface soil and downgradient groundwater.
 - Supplemental Site Characterization field work completed; Draft Supplemental Site Characterization report completed in December 2021.
 - 2022**
 - Final Supplemental Site Characterization report issued on March 30, 2022.
 - 2023**
 - Town issued Order on Consent and executed on February 1, 2023 that required Closure Investigation and closure/cap of the landfill.



- Closure investigation work primarily completed in May, November, and December.

2023

- Closure Investigation Report submitted on January 30, 2024 and approved by the NYSDEC on March 11, 2024

LaBella Fees to Date per Task

| | |
|--------------|--|
| \$35,280.60 | Record search report, IRM work plan, Site Characterization Work Plan |
| \$74,387.24 | Site Characterization Work |
| \$48,568.52 | Supplemental Site Characterization Work |
| \$32,418.73 | Landfill Closure Investigation (approximate) |
| \$190,655.09 | APPROXIMATE TOTAL |

2. Options Evaluated to Close Landfill

- Consolidate waste, less cover area
- Relocate waste to existing landfill
- Synthetic material to cover waste
- Clay cap most economically feasible option

3. Potential Funding/Grant Options

| Potential Grants/funding | General Description |
|--|---|
| DEC - Landfill Closure 6 NYCRR Subpart 369-6 - State Assistance and Loans for Municipal Landfill Closure Projects | Provides 50% funding up to \$2 million, -10-year waitlist (can apply now), will need to close to current regulations, payments can be made over a couple of years based on funding, Town will need to maintain receipts, (can provide up to 90% of funding for Town population <3,500). If other grants are applied, funding may be reduced by the amount of the other grants received. |
| Clean Water State Revolving Fund (CWSRF) | The CWSRF enables Environmental Facilities Corporation (EFC) to provide interest-free and low-interest rate financing and additional subsidy, in the form of grants or principal forgiveness, to support a variety of eligible water quality improvement projects. Potential eligibility based on emerging contaminants, and landfill leachate. EFC uses priority scoring system to evaluate funding. |
| Water Quality Improvement Program | It could potentially qualify due to wetland PA-40 specifically for Vegetative cover or other natural solutions. Up to \$1,000,000 with a 25% match |



| Potential Grants/funding | General Description |
|---------------------------|--|
| Climate Smart Communities | If the project protects the neighboring wetland from contamination in the event of a flood as a result of climate change this could be eligible. Up to \$2,000,000 50% match |

4. Anticipated Remaining Costs

- Estimated engineering costs \$145,000 to \$195,000
- Engineer's Estimate to install clay cap \$2 to \$4 million dollars in 2023.
- Cost of bids can vary. For actual cost, will need to bid project. Previous project LaBella associated with, that is not an exact comparison, had a winning bid of \$1.8 million, the mid-range bid was \$2.2 million and the high bid was \$3.5 million. The engineer's estimate provided in the bid document was \$2.5-\$5.0 million.

5. Revised Approved NYSDEC Schedule

- Closure/Post Closure Plan completion extended to 8/31/2024
- Construction of Final Cover System extended to 10/31/2025
- Approvable Construction Completion Report extended to 12/31/2025

For the record, Councilman Welch clarified that to date we have paid out more than \$243,000: LaBella (\$190,000) to work on this plan, in legal fees, for in house labor, and the equipment needed to be rented so far. He also explained that the Supervisor and one board member visited an existing landfill to see if relocating the waste was feasible, but that would cost more than \$10 million dollars with the amount needed to haul out, so in his opinion, that is not an option.

Mr. Welch also asked if the wells would stay in place as we have already paid for them. LaBella: Yes, they would, and would be used if additional testing was needed.

Mr. Welch asked about the cost of upkeep after completed. LaBella: They will have to get that answer and would depend on what the DEC would want done annually.

Mr. Welch: Does this need to be fenced in? LaBella: Yes, a big portion of it would need to be fenced in but is not part of that \$2-4 million estimation.

With additional conversation, further questions were asked including what kind of equipment may be needed for upkeep, and if the road wear and tear was taken into consideration, and if synthetic material was available.

LaBella representatives explained synthetic materials for covering are not easily available and are very expensive (though they did not have exact costs yet), and the clay cap (which is most feasible) is estimated to cost \$2-4 million. This does not include the cost of resurfaces the roads after thousands of truckloads of clay are delivered. We should expect a letter from the DEC when this is completed that it was closed correctly.

Councilman Cook clarified that this was historically a village landfill (for use by village and town residents) and that after the town acquired it, the town did in fact close it properly for that time, and that we have documentation from NYS showing that. We are bringing this to NEW NYS PFAS standards, and that we have followed every step correctly with the DEC, with LaBella leading the way, and have done everything that was asked of the Town of Palmyra to date.

LaBella explained to the board and the public that there may be grants available, but that if you are awarded them, you may need to pay the millions back first and then POSSIBLY be paid back a decade later.

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

1. Highway Department report for May:

**HIGHWAY SUPERINTENDENT REPORT
FOR TOWN BOARD MEETING
5/23/24**

Since the 4/25/24 Town Board meeting we have completed the following work:

- Treework – Port Gibson Road, Schilling Road
- Ditching/Culvert Work – S.Creek Road, Schilling Road, Omeal Rd, Leroy Road
- Dozer/Slope Work – Cornwall Road, Hogback Hill Road
- Brush Mowing – Schilling Road, Harris Road
- Inspections Completed – Fire Extinguishers, Vehicles, Oil/Water separator (scheduled)
- Inter-municipal Assistance
 - 5/10, 5/15, 5/17/24 2 Palmyra trucks hauling stone for Williamson Highway
 - 5/21/24 2 Palmyra trucks hauling – 1 each for Ontario Hwy and Williamson Hwy
- **Mowing** – Chris Bratt started mowing with us on 5/2/24. He has currently mowed all the northern half of Town and will finish the south side next week, thus completing one round of mowing on our Town Roads. He will also start mowing County Roads next week, then start back around the Town.
- **Training** - On 4/30/24, our entire crew attended a Work Zone Safety Seminar at the Ontario County Training Facility. This was a free seminar put on by our insurance provider, NYMIR. On 5/8/24, Jake Hilton and I attended an all-day Cornell Local Roads Program training session on Roadside Drainage sponsored and hosted by Ontario County Soil & Water in Canandaigua. Lastly, my Annual Highway School at Ithaca College is June 3-5th.
- **Brush Pickup** – Our 1-week Yard Debris Spring Cleanup dates are scheduled for next week. Attached is the advertisement from the Town Website.
- **Surplus Equipment** – Last month we declared surplus several items for sale on the RTI – Municipal Only Net Auction which ended this past Tuesday 5/21/24. Below is a recap:

| Lot | Eqp | Description | Appraised | Bid | Budgeted 2023 |
|-----|-----|----------------|-----------|-----------|---------------|
| 3 | C3 | F350 pickup | 15-22k | 14,800.00 | 14,000.00 |
| 13 | C4 | F250 pickup | 13-18k | 13,400.00 | 10,000.00 |
| 85 | T28 | 10-wheel dump | 14-22k | 8,700.00 | 0.00 |
| 205 | | Air Compressor | | 165.00 | 0.00 |

- **New Equipment** – On 4/26/24 our new 2024 JD 644P loader arrived. Thank you for this new loader!
Today, 5/23/24, we visited Viking Cives/Wilbri in Bath to review the outfitting of our new Mack 10-wheel truck. This truck should be completed in the next couple months. I expect delivery by end of July/August.
- **Personnel** – As you know, we have 3 retirees this Spring. Scott Moulton’s last working day was 5/10/24, Mike Woodard’s last working day is 5/29/24 and Mike Paul’s is next week also. From there they will be using some of their time-off allotments. Thus, we currently have our ‘Now Hiring’ signs and advertisements in the paper, in front of Town Hall and the Highway Department. These men have been valued Town employees each with long tenures with the Town. Their experience in the highway department and with the crew will be incredibly missed.
- **Roadwork** – Given the reduced staffing we are experiencing this summer, our normally ambitious summer roadwork schedule likely will be reduced. Despite this, we do intend to be on several other roads this summer including but not limited to: Bear Hill, Hogback Hill, Vault, S.Creek, Jagger, Palmer, Floodman & several more.
- **Association of Towns** – In April, I received an invitation to join the AoT – 16-member Executive Committee. They have not had a highway superintendent on the committee in many years. I recently attended my first meeting in Albany. Similar to when I was on the NYS Association of Town Highway Superintendents, the AoT typically has about 4 meetings/year around the State. The Committee is comprised of Town Clerks, Tax Collectors, Justices, and Supervisors. I’m excited to represent all town highway superintendents across NYS, Wayne County and of course the Town of Palmyra on this Committee! Check out their website at www.nytowns.org and Facebook Page when you have a moment. I am hopeful for your support.
- **Sewer Project** – Villager Construction will be re-paving Kent Street next week as part of the sewer project.

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

Mr. Boesel reminded the board that the town & village continue to share services and help each other when needed. The waterline on Foster was a perfect example of this.

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

1. Town Clerk's Monthly Financial Report: The Supervisor has received the Town Clerk's Office monthly financial report for April.

2. Town Clerk Report for May:

**TOWN CLERK OFFICE REPORT
APRIL & MAY 2024**

We finished the month of March having collected \$4,887,592.27 of the original Town & County Tax Warrant of \$5,337,788.88 (which was lower than last year's warrant!). The Town's share, this year, from the late penalties paid, was \$4,424.44. Our community paid more during the non-penalty phase (which is a good thing!), which meant the penalties paid (town's share) was less than usual.

Through dog licensing in March 2024, we sold 117 licenses totaling \$1,075.00, misc sales, marriage licenses, hunting/fishing, vital record requests, EZ-Pass, zoning, escrow deposits etc- added an additional \$3,334.60. Total check disbursements for the month of March were \$4,409.60.

Through dog licensing in April 2024, we sold 89 licenses totaling \$740.00, misc sales, marriage licenses, hunting/fishing, vital record requests, EZ-Pass, zoning, escrow deposits, etc- added an additional \$4,265.00. Total check disbursements for the month of April were \$5,005.75. As always at this time of year, we have had an upswing in marriage licenses issued!

I attended the 42nd Annual NYS Town Clerk Association Conference in April, in Albany, NY. I was able to participate in numerous classes, which is very helpful as there are so many changes in NYS law and how these topics are handled. There were major changes from the February AOT meeting that I attended to the NYSTCA meeting in April! A big thank you to Heidi J. and Heidi S. for running the office so smoothly while I was gone!

We will be hosting the Wayne County Town Clerks Association meeting here on June 12th and have invited the Ontario County Clerks to join us as well. As vice president of the Wayne County Town Clerk Association, one of my duties includes inviting various speakers to join us each meeting. In June, Trooper Jason Klewicki will be speaking about "Situational Awareness", which should be helpful not only at our town halls, but outside work as well.

Town Building and Grounds Committee:**Councilmen Cook & DeRue and Town Clerk Irene Unterborn:**

1. Building Update: Councilman Cook reported that the painting in the town hall is planned to begin in June. The plan is to finish the interior painting of the large meeting room, large room in assessors' office, and

tourism room and then to gather quotes for projects outside in time for the 2025 budget.

Town Development: IT & Phones, Strategic (Comprehensive) Plans, Code Enforcement/Planning Board and Security: - Councilman Todd Pipitone

1. Comprehensive Plan Update: At the joint meeting (Town & Village Boards, as well as Comprehensive Plan Steering Committee members) on Monday May 13th, 2024, Matt Horn and Emma Falkenstein distributed handouts to everyone that outline the strategic framework of the plan (vision, planning principles, priority action areas). The goal of this meeting was to ensure that both boards are on the “same page” as the steering committee as they move forward with the planning process. It is critical to hear from the boards at this point to get this part right. Mr. Horn explained that first we need to get “the big things right”, and second, we need to realize that not everything on our wish lists is a “big thing”. Next combined meeting, there will be a draft of the plan!

2. CEO Report for May: Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that includes a list of building permits and certificates of compliance from April 23rd, 2024, through May 21st, 2024.

3. Minutes from Zoning Board Meeting from May 2024: No meeting this month.

4. Minutes from Planning Board Meeting from May 2024: No Meeting this month.

Government Operations: Assessor, Fire Protection Contracts, Youth & Aging, and Historians: - Councilman Doug DeRue

1. Assessor’s Report for May:

**REPORT TO THE TOWN BOARD FROM THE ASSESSOR’S OFFICE
May 2024**

Chargeback notices were sent out at the beginning of the month. A chargeback is the new owner paying back the amount saved on tax bill(s) for exemption that the previous owner had received. This does not include the STAR exemption and is usually for Senior Citizens and Veterans Exemptions

We submitted the required Mobile Home Tenant listing to the State on May 6th.

I attended the Wayne County Assessors meeting on May 14th.

On May 14, New York State established a final 2024 State and/or Class equalization rate for the Town of Palmyra, as well as all towns in Wayne County. The final rate is 90.00.

We currently have ten filed grievances and one pending. Three of the filed are for a request to reinstate exemptions. Three of are from residents that I met with, and they chose to pursue a hearing with the Board of Assessment Review. Three of them are pending review of my proposal and may go to BAR. There is one signed stipulation. A stipulation is an agreement on a different assessment (other than what is on the tentative assessment roll), between the property owner(s) and me.

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

There are 13 April sales. 8 Village and 5 Town sales. There is 1 Parcel split request.

The following are the sales/transfers for April.

| April 2024 Sales/Transfers | | | | | | |
|----------------------------|------|---------------|----|--|------------|----------|
| MAP # | HS # | STREET | ** | SALE \$ | SALE DATE | TAV 2024 |
| 64111-10-431513 | 411 | Claremont | ** | 0 | 03/13/2024 | 136,800 |
| 64111-11-587545 | 142 | Brookside | ** | 1. | 03/13/2024 | 187,500 |
| 65111-09-030585 | 365 | Vienna | | 195,001 | 04/12/2024 | 134,700 |
| 64111-10-321672 | 516 | W Main | ** | 0 | 04/09/2024 | 139,500 |
| 64111-10-361625 | 110 | Hyde Pkwy | ** | 0 | 04/11/2024 | 149,700 |
| 64111-11-562584 | 107 | Birdsall Pkwy | | 47,000 | 04/24/2024 | 39,300 |
| 64111-15-539415 | 2 | Laurentian | ** | 30,000 | 04/25/2024 | 147,400 |
| 64111-15-650432 | 406 | Canandaigua | | 302,000 | 04/26/2024 | 205,200 |
| 66112-11-735504 | 4719 | Tellier | ** | 175,250 | 04/04/2024 | 53,500 |
| 65112-00-696946 | 3896 | Goldsmith | ** | 180,000 | 04/11/2024 | 184,800 |
| 65111-00-152844 | 2980 | N Creek | ** | 1 | 04/12/2024 | 304,900 |
| 66111-18-327224 | 4375 | Route 31 | ** | 250,000 | 04/16/2024 | 158,600 |
| 64112-15-500338 | 2026 | Maple Ave | ** | 102,000 | 04/25/2024 | 168,900 |
| 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 Pipitone asked what it meant as far as a revaluation since we are at 90% and we were at 99% last year. The assessor said they will have to discuss that.

Councilman DeRue also added that he has met with each of the fire departments and has begun negotiations.

INFORMATION

The Supervisor reminded us that there are two Memorial Day Remembrances on Monday, May 27th. The first parade begins at 9 AM goes east down Main Street from the 4 churches and ends at the Veterans Memorial in the Village Cemetery. The second is at the East Palmyra Cemetery at 11 AM.

TOWN AGENDA ITEMS

1. Approve: All Town Reports for April: Todd Pipitone made the motion to approve all town reports including the Supervisor, Town Clerk, Code Officer, Assessor, and Highway reports for the month of April.

Second: Brad Cook Vote: 5 Ayes. Carried

2. Approve: LOCAL LAW #1 – 2024 “Real Property Tax Levy Limit”: Todd Pipitone made the motion to approve Local Law #1-2024 “Real Property Tax Levy Limit”, as written :

Second: Brad Cook 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.

Irene E. Unterborn, Palmyra Town Clerk

3. Approve: Standard Workday Resolution #7-2024: Standard Workday and Reporting Resolution for Elected and Appointed Officials:

Todd Pipitone made the motion to approve Resolution #7-2024: Standard Workday and Reporting Resolution for Elected and Appointed Officials that do not keep time sheets. This will be posted on the website, bulletin board, and at the Village Hall for 30 days.

Second: Brad Cook Vote: 5 Ayes. Carried

4. Approve: Budget Adjustment: Todd Pipitone made a motion to approve the following budget adjustment to the General Fund, as written.

Second: Jim Welch Vote: 5 Ayes. Carried

Town of Palmyra
General Fund - Budget Adjustments
May 23, 2024

| ACCOUNT# | ACCOUNT TITLE | INCREASE | DECREASE |
|----------------------------------|--|------------------|--------------------|
| 51322.03.000.00 | Machinery - Equipment | 59,469.91 | |
| 915.03.000.00 | Unassigned Unappropriated Fund Balance | | (59,469.91) |
| TOTAL BUDGET ADJUSTMENTS: | | 59,469.91 | (59,469.91) |

| ACCOUNT# | ACCOUNT TITLE | INCREASE | DECREASE |
|----------------------------------|--|-----------------|-------------------|
| 962.01.000.00 | Misc Reserves - Town Hall Repair Reserve | 4,500.00 | |
| 962.01.000.00 | Misc Reserves - Highway Repair Reserve | | (4,500.00) |
| TOTAL BUDGET ADJUSTMENTS: | | 4,500.00 | (4,500.00) |

5. Approve: Painting Inside the Town Hall: Brad Cook made the motion to approve the painting of the main assessment office, tourist information room, and large meeting room, not to exceed \$12,925.00. This includes all labor and materials.

Second: Todd Pipitone Vote: 5 Ayes. Carried

6. Approve: Supervisor to Sign Conflict Waiver and Consent: Todd Pipitone made the motion to allow the supervisor to sign the Conflict Waiver & Consent between the Town of Palmyra, the Wayne County Water & Sewer Authority, and Boylan Code, LLP.

Second: Jim Welch Vote: 5 Ayes. Carried

MOTION TO APPROVE TOWN CLAIMS AND EXPENDITURES

Todd Pipitone made the motion to approve the May 2024– Vouchers #2024-489 through #2024- 589, totaling \$202,124.20, as noted below:

Second: Brad Cook Vote: 5 Ayes. Carried

Abstract Total of Vouchers Pre-Paid:

| | |
|--------------|--------------------|
| GENERAL FUND | \$ 2,466.09 |
| PART TOWN | \$ 107.20 |
| Total | \$ 2,573.29 |

Abstract Total of Vouchers Un-Paid:

| | |
|-----------------|---------------------|
| GENERAL FUND | \$ 27,054.29 |
| PART TOWN | \$ 9,079.38 |
| DA HIGHWAY FUND | \$149,700.12 |
| DB HIGHWAY FUND | \$ 13,717.12 |
| Total | \$199,550.91 |

MOTION TO ENTER INTO EXECUTIVE SESSION

At 7:45 PM, Todd Pipitone made a motion to enter into executive session to discuss pending litigation. Supervisor Rose invited Highway Superintendent Mike Boesel to join them.

Second: Brad Cook Vote: 5 Ayes. Carried

Supervisor Rose stated that there will be no decisions made after executive session.

MOTION TO EXIT EXECUTIVE SESSION

At 8:55 PM, Dou DeRue made a motion to exit the executive session.

Second: Todd Pipitone Vote: 5 Ayes. Carried

MOTION TO ADJOURN

At 8:56 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, June 27th, 2024
7:00 PM – Palmyra Town Hall