

**NOTICE OF JOINT TOWN AND VILLAGE HEARING & MEETING**  
**Palmyra Town Hall**  
**November 25<sup>th</sup>, 2024**

**LEGAL NOTICES**

The following are the legal notices 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 meeting, and in accordance with law.

**LEGAL NOTICE**  
**TOWN OF PALMYRA NOTICE OF PUBLIC HEARING**  
**AS WELL AS A JOINT TOWN AND**  
**VILLAGE TOWN MEETING**

**NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Palmyra, will have a Public Hearing on Monday November 25<sup>th</sup>, 2024, at 6:30 PM at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York, to discuss the Town of Palmyra Local Law #2-2024: Authorization To Adopt Wayne County Local Law Allowing Enrolled Volunteer Firefighters And Volunteer Ambulance Workers To Be Eligible For A Real Property Tax Exemption. Immediately following that hearing, the Town Board of the Town of Palmyra, the Palmyra Village Board, the Comprehensive Plan Steering Committee & MRB Group will meet and discuss the draft of the Palmyra Comprehensive Plan

**FURTHER NOTICE IS HEREBY GIVEN** that this meeting is called to transact business related to the above topics, as well as any other business that may come before the Town and/or Village Boards.

Dated: November 12<sup>th</sup>, 2024

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Irene E. Unterborn  
Palmyra Town Clerk

**LOCAL LAW PROPOSED FOR TOWN HEARING**

**TOWN OF PALMYRA LOCAL LAW #2-2024**  
**AUTHORIZATION TO ADOPT WAYNE COUNTY LOCAL LAW ALLOWING ENROLLED**  
**VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS TO BE ELIGIBLE**  
**FOR A REAL PROPERTY TAX EXEMPTION**

**WHEREAS**, the Wayne County Board of Supervisors, County of Wayne, State of New York, adopted a local law to allow enrolled Volunteer Firefighters and Volunteer Ambulance Workers to be eligible for a Real Property Tax Exemption under Real Property Tax Law (RPTL) §466-a; and

**WHEREAS** the Board of Supervisors of The County of Wayne adopted this Local Law #4-2023 on April 18, 2023, as follows:

**"SECTION 1. STATUTORY AUTHORITY.**

*The New York State Legislature has, heretofore, amended the Real Property Tax Law (RPTL) to authorize municipalities to permit enrolled volunteer firefighters and volunteer*

*ambulance workers to be eligible for a real property tax exemption as is more particularly set forth in RPTL § 466-a which State statute was made effective as of December 9, 2022.*

**SECTION 2. LEGISLATIVE INTENT AND PURPOSE.**

*The said RPTL § 466-a, among other things, allows for volunteers with two (2) years of qualifying service to apply for the tax exemption which will increase the number of eligible volunteers over existing law. The Board of Supervisors recognizes the role of volunteer firefighters and ambulance workers in securing the safety and well-being of our communities. The Board of Supervisors hereby finds that it is in the best social and economic interest of the County of Wayne to encourage volunteerism for said purposes. To that end, by providing the following exemption, and by making it available to a larger pool of volunteers, it is the intent to encourage volunteerism for our various fire and ambulance companies.*

**SECTION 3. EXEMPTION GRANTED.**

*A. Real property owned by an enrolled member of an incorporated volunteer .....continued*

*fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in Wayne County shall be exempt from taxation to the extent of ten percent (10%) of the assessed value of such property for County purposes, exclusive of special assessments.*

*B. Application for such exemption shall be filed with the Assessor having jurisdiction of the real property on or before the taxable status date on a form prescribed by the Commissioner of the New York State Department of Taxation and Finance Office of Real Property Tax Services.*

*C. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in Wayne County unless he or she meets each of the five (5) criteria set forth below:*

- 1. The applicant resides in the town or village which is served by such an incorporated volunteer fire company or fire department or incorporated voluntary ambulance service.*
- 2. The property is the primary residence of the applicant.*
- 3. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section.*
- 4. The applicant has served as an enrolled member with such volunteer fire company or fire department or incorporated voluntary ambulance service for a minimum of two (2) years; and*
- 5. The incorporated volunteer fire company or fire department and incorporated voluntary ambulance service has submitted to the Wayne County Director of Emergency Management a complete list of enrolled members, with their respective dates of service for such an incorporated voluntary fire company or fire department or incorporated voluntary ambulance service. The Wayne County Director of Emergency Management shall then review all potential candidates and certify those that meet the necessary criteria to be eligible for this exemption.*

*D. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by RPTL § 466-a for the remainder of his or her life as long as his or her primary residence is located within Wayne County.*

***E. Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty:*** An exemption by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, to such deceased enrolled member's un-remarried spouse may be continued or re-instated if such member is killed in the line of duty; provided, however, that:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and
2. Such deceased volunteers had been enrolled members for at least five (5) years; and
3. Such deceased volunteer had been receiving the exemption prior to his or her death.

***F. Un-remarried spouses of deceased volunteer firefighters or volunteer ambulance workers:*** An exemption by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service may be continued or re-instated to such deceased enrolled member's un-remarried spouse; provided, however, that:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
2. Such deceased volunteers had been enrolled members for at least twenty (20) years; and
3. Such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

#### **SECTION 4. EXISTING EXEMPTIONS PRESERVED.**

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of New York Real Property Tax Law Article 4 as of December 9, 2022 shall suffer any diminution of such benefit because of the provisions of RPTL § 466-a.

#### **SECTION 5. EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York and shall apply to taxable status dates occurring on or after January 1, 2024.”

***WHEREAS, the Palmyra Town Board*** has reviewed this Wayne County New York Local Law #4-2023 and agrees to adopt this exemption in the Town of Palmyra permitting enrolled volunteer firefighters and volunteer ambulance workers to be eligible for a real property tax exemption as is more particularly set forth in RPTL § 466-a which State statute was made effective as of December 9, 2022.

***NOW THEREFORE, BE IT RESOLVED by the Town Board that the Town of Palmyra*** adopts this exemption for enrolled Volunteer Firefighters and Volunteer Ambulance Workers to be eligible for a Real Property Tax Exemption under Real Property Tax Law (RPTL) §466-a.

**AGENDA**

At 6:30 PM PM, Supervisor Rose called to order the Joint Town & Village Hearing & Meeting, scheduled for Monday, November 25th, 2024, 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 town roll call, the following Board members were present:

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

Upon the village roll call, the following trustee members were present:

David Husk, Mayor  
Rick Perry, Trustee  
Gina Luke, Trustee  
Timothy Denniston, Trustee  
Ronnie Leo, Trustee

**ATTENDANCE**

Also in attendance: Village Clerk Rebecca Wetherby, Comprehensive Steering Committee members: Steve Hays, William Unterborn, Donna McPike, Sheila Koeberle, Dave Matthews, Don Wilkins, Tracy Murphy, Gary LaBerge, Colleen Hall, Dave Pray, Jeremy Bedette, Matt Horn (MRB Group), and Mikel Hallings (Fire Department) and Assessor Paula Ruthven.

**PUBLIC HEARING**

The Town Clerk read the rules of conducting a public hearing.

**OPEN PUBLIC HEARING TO DISCUSS LOCAL LAW #2-2024**

At 6:30 PM, Doug DeRue made the motion to open the public hearing.

Second: Todd Pipitone

Vote: 4 Ayes. Carried

Supervisor Rose asked if anyone would like to comment about Town of Palmyra Local Law #2-2024 or Village of Palmyra Local Law #5 – 2024? He asked a second and third time. With no further comments he asked that the hearing be closed.

Mayor Husk thanked the volunteers and commented that they are special and should be respected. He thanked all our volunteers!

### **CLOSE HEARING**

Supervisor Rose made the motion to close the Town Hearing.

Second: Todd Pipitone

Vote: 4 Ayes. Carried

Mayor Husk made the motion to close the Village hearing.

Second: Gina Luke

Vote: 4 Ayes. Carried

### **JOINT TOWN & VILLAGE MEETING**

**TOWN COMMUNICATIONS** None for this evening.

### **TOWN REPORTS OF STANDING COMMITTEES**

None for this evening as they will be reported at the November 26<sup>th</sup>, 2024, meeting.

**TOWN INFORMATIONAL ITEMS** None for this evening.

### **TOWN AGENDA ITEM**

**1. Approve: Town of Palmyra Local Law #2-2024:** Todd Pipitone made the motion to approve Local Law #2-2024: *Authorization To Adopt Wayne County Local Law Allowing Enrolled Volunteer Firefighters And Volunteer Ambulance Workers To Be Eligible For A Real Property Tax Exemption, as written above.*

This was seconded by Doug DeRue, and a roll call vote was requested.

Councilman James Welch  
Councilman Doug DeRue  
Councilman Todd J. Pipitone  
Councilman Brad Cook  
Supervisor Gary Rose

Aye  
Aye  
Aye  
Aye  
Aye

Vote: 5 Ayes. Carried

**VILLAGE LEGAL NOTICES**

**VILLAGE LEGAL NOTICES**  
**VILLAGE OF PALMYRA**  
**NOTICE OF PUBLIC HEARING**  
**ON PROPOSED LOCAL LAW NO. 3 AND 4 - 2024**

**PLEASE TAKE NOTICE**, that a public hearing will be held at the Village of Palmyra Municipal Building, 144 East Main Street, Palmyra, New York 14522, on the 18th day of November, 2024, at 6:35pm to consider the adoption of Local Law No. 3-2024 entitled:

**A LOCAL LAW REPEALING AND REPLACING CHAPTER 132 OF THE VILLAGE CODE  
ENTITLED "PARKS AND RECREATION"**

and at 6:38pm to consider the adoption of Local Law No. 4-2024 entitled:

**A LOCAL LAW ADOPTING CHAPTER 82 OF THE VILLAGE CODE, ENTITLED "CEMETERIES"**

The proposed Local Laws No. 3 and 4- 2024 are on file in the Office of the Village Clerk of the Village of Palmyra where the same may be inspected during office hours.

**ALL PERSONS INTERESTED** and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

BY ORDER OF THE BOARD  
OF TRUSTEES OF THE  
VILLAGE OF PALMYRA

Rebecca Wetherby,  
Palmyra Village Clerk

**LOCAL LAW NO. 5 OF 2024**

Village Of Palmyra, County Of Wayne village OF PALMYRA NOTICE OF PUBLIC HEARING AS  
WELL AS JOINT TOWN AND VILLAGE TOWN MEETING

**ON LOCAL LAW NO. 5 OF 2024, LOCAL LAW AMENDING CHAPTER 172 ENTITLED  
TAXATION, TO ADD SECTION 172-17, TITLED EXEMPTION FOR VOLUNTEER FIREFIGHTERS  
AND VOLUNTEER AMBULANCE WORKERS**

PLEASE TAKE NOTICE, that a public hearing will be held at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY 14522, on the 25th day of November, 2024, at 6:30pm to consider Local Law 5 of 2024, titled Local Law Amending Chapter 172 Entitled Taxation, To Add Section 172-17, Titled Exemption For Volunteer Firefighters And Volunteer Ambulance Workers. Immediately following that hearing, the Village Board of the Village of Palmyra, the Palmyra Town Board, the Comprehensive Plan Steering Committee & MRB Group will meet and discuss the draft of the Palmyra Comprehensive Plan.

**FURTHER NOTICE IS HEREBY GIVEN** that this meeting is called to transact business related to the above topics, as well as any other business that may come before the Town and/or Village Boards.

ALL PERSONS INTERESTED and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

BY ORDER OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PALMYRA      Rebecca  
Wetherby, Palmyra Village Clerk

**LOCAL LAW NO. 5 OF 2024, LOCAL LAW AMENDING CHAPTER 172 ENTITLED TAXATION,  
TO ADD SECTION 172-17, TITLED EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND  
VOLUNTEER AMBULANCE WORKERS**

*Be it enacted by the Board of Trustees of the Village of Palmyra as follows:*

**Section 1.** *As authorized by § 466-a of the New York Real Property Tax Law, real property owned by an enrolled member of an incorporated volunteer fire company, fire department, Fire District or incorporated voluntary ambulance service or such enrolled member and spouse, residing in any county shall be exempt from taxation to the extent of ten percent of the assessed value of such property for village tax purposes, exclusive of special assessments.*

**Section 2.** *Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department, Fire District or incorporated voluntary ambulance service unless:*

*(a) the applicant resides in the city, town or village which is served by such incorporated volunteer fire company, fire department, Fire District or incorporated voluntary ambulance service;*

*(b) the property is the primary residence of the applicant;*

*(c) the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and*

*(d) the applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, Fire District or incorporated voluntary ambulance service as an enrolled member of such incorporated volunteer fire company, fire department, Fire District or incorporated voluntary ambulance service, and has been an enrolled member for at least two service years prior to the issuance of the applicable tax bill.*

**Section 3.** *Any enrolled member of an incorporated volunteer fire company, fire department, Fire District or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, Fire District or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within such county.*

**Section 4.** *Un-remarried spouses of volunteer firefighters or volunteer ambulance workers who were eligible for such exemption and were killed in the line of duty of an incorporated volunteer fire company, fire department, Fire District or incorporated voluntary ambulance service, shall also be exempt from taxation to the extent of ten percent. Provided, however, that, such exemption shall only apply if such spouse:*

*(a) is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, Fire District or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company,*

*fire department, Fire District or incorporated voluntary ambulance service who was killed in the line of duty; and*

*(b) such deceased volunteer had been an enrolled member for at least five years; and*

*(c) such deceased volunteer had been receiving the exemption prior to his or her death.*

**Section 5.** *Application for such exemption shall be filed with the assessor of the Village of Palmyra no less than sixty (60) days prior to the issuance of the applicable tax bill or else the applicant shall not be eligible for such exemption until the following tax cycle.*

**Section 6.** *No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of this article on the effective date of this section shall suffer any diminution of such benefit because of the provisions of this section.*

**Section 7.** *All other local laws and ordinances thereof of the Village of Palmyra inconsistent with the provisions of this local law are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this local law shall be in addition to other local laws or ordinances regulating and governing the subject matter covered by this local law.*

**Section 8.** *If any of the provisions in the foregoing local law be decided by a court having jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of the foregoing local law as a whole, or any part thereof, other than the part so decided to be unconstitutional or be invalid.*

**Section 9.** *This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with section 27 of the Municipal Home Rule Law.*

#### **VILLAGE AGENDA ITEMS (Trustee Denniston entered at this time)**

1. Motion to close Public Hearing for Local Law 2024-3 REPLACING CHAPTER 132 OF THE VILLAGE CODE ENTITLED "PARKS AND RECREATION" was made by Trustee Luke, seconded by Trustee Perry. Vote, 4 ayes, CARRIED.
2. Motion to approve Local Law 2024-3 REPLACING CHAPTER 132 OF THE VILLAGE CODE ENTITLED "PARKS AND RECREATION" was made by Trustee Perry, seconded by Trustee Luke. Vote, 4 ayes, CARRIED.
3. Motion to close Public Hearing for Local Law 2024-4 ADOPTING CHAPTER 82 OF THE VILLAGE CODE, ENTITLED "CEMETERIES" was made by Trustee Luke, seconded by Trustee Perry. Vote, 4 ayes, CARRIED.
4. Motion to approve Local Law 2024-4 ADOPTING CHAPTER 82 OF THE VILLAGE CODE, ENTITLED "CEMETERIES" was made by Trustee Perry, seconded by Trustee Luke. Vote, 4 ayes, CARRIED.



5. Motion to approve Local Law #5-2024: *AUTHORIZATION TO ADOPT WAYNE COUNTY LOCAL LAW ALLOWING ENROLLED VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS TO BE ELIGIBLE FOR A REAL PROPERTY TAX EXEMPTION*, as written above was made by Trustee Perry, seconded by Trustee Denniston. A roll call vote was requested by Mayor Husk.

Trustee Timothy Denniston, aye.

Trustee Ronnie Leo, aye.

Trustee Gina Luke, aye.

Trustee Rick Perry, aye.

Mayor David Husk, aye.

Vote, 5 ayes, CARRIED.

## COMPREHENSIVE PLAN PORTION OF MEETING

Town Board of the Town of Palmyra, the Palmyra Village Board, and the Comprehensive Plan Steering Committee met with Matt Horn from the MRB Group who presented them with the complete draft of the Village & Town of Palmyra Comprehensive Plan. This is available in the town & village clerk's offices, or electronically upon request.

## TOWN RETURN TO AGENDA ITEMS

**2. Approve: Resolution #11-2024: SEQR Resolution Declaring Intent to be Lead Agency:** Todd Pipitone made the motion to approve Resolution #11-2024: SEQR Resolution Declaring Intent to be Lead Agency, as written:

Second: Jim Welch

Vote: 4 Ayes. Carried

### RESOLUTION #11-2024 SEQR RESOLUTION DECLARING THE INTENT TO BE LEAD AGENCY

**WHEREAS**, the Town of Palmyra Town Board (hereinafter referred to as "Town Board") has reviewed the New York State Environmental Quality Review Act ("SEQRA") Full Environmental Assessment Form ("EAF") Part 1, prepared by the MRB Group on the above-referenced Village & Town of Palmyra Comprehensive Plan (hereinafter referred to as "Action"); and

**WHEREAS**, the Town Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review ("SEQR") Regulations; and

**WHEREAS**, the Town Board determines that said Action is also subject to review and approval by other involved agencies under the SEQR Regulations; and

**WHEREAS**, the Town Board determines that it is the most appropriate agency to ensure the coordination of this Action and will provide written notifications to interested and involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board does hereby declare its intent to be designated as the lead agency for the Action and directs the Town Supervisor to sign and date the Full EAF Part 1.

**BE IT FURTHER RESOLVED**, MRB Group is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on Tuesday, December 31<sup>st</sup>, 2024.

**3.Approve: Town Supervisor to Sign the Full Environmental Assessment Form:** Todd Pipitone made the motion to approve the Town Supervisor to sign the FEAF for the Joint Town & Village Comprehensive Plan.

Second: Doug DeRue

Vote: 4 Ayes. Carried

**4.Approve: Public Hearing Date for Comprehensive Plan:** Todd Pipitone made the motion to approve the public hearing date for the Comprehensive Plan for Thursday January 23<sup>rd</sup>, 2025, 7:00 PM, at the Palmyra Town Hall.

Second: Jim Welch

Vote: 4 Ayes. Carried

The Town board wished to thank the steering committee for their much-appreciated hard work on this project!

#### **VILLAGE RETURN TO AGENDA ITEMS**

**6.Approve: Public Hearing Date for Comprehensive Plan:** Rick Perry made the motion to approve the public hearing date for the Comprehensive Plan for Thursday January 23<sup>rd</sup>, 2025, 7:00 PM, at the Palmyra Town Hall.

Second: Gina Luke

Vote: 4 Ayes. Carried

#### **MOTION TO ADJOURN**

At 7:11 PM, Rick Perry made the motion to adjourn the Village meeting.

Second: David Husk

Vote: 4 Ayes. Carried

At 7:11 PM, Todd Pipitone made the motion to adjourn the Town meeting.

Second: Brad Cook

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn  
Palmyra Town Clerk

Rebecca Wetherby  
Palmyra Village Clerk

**NEXT REGULAR TOWN BOARD MEETING**  
**Tuesday November 26th, 2024 7:00 PM**  
**PALMYRA TOWN HALL**