

A REGULAR MEETING OF THE ROSE TOWN BOARD WAS HELD AT THE ROSE TOWN OFFICE BUILDING LOCATED AT 5034 NORTH MAIN STREET, NORTH ROSE, WAYNE COUNTY, NEW YORK STATE, ON JULY 21, 2026, AT 7:00 PM WITH DEPUTY SUPERVISOR RICHARD A. LASHER PRESIDING.

PRESENT: Richard A. Lasher, Deputy Supervisor
Jennifer M. Murphy, Councilwoman
Scott J. Converse, Councilman
Phil Torrey, Councilman

ABSENT: Christine M. Rice, Supervisor

ALSO PRESENT: Highway Superintendent Jeff Jay, Code Enforcement Officer Paul Fordham, Chairman of the Planning Board Steve Guthrie, Chairman of the Zoning Board of Appeals Mark Anthony, Richard Wigfield, Dennis Wigfield, David Ortiz, Roger Betts, Barb Betts, Scott Peters, and Town Clerk Ann Gonzalez.

Deputy Supervisor Lasher opened the meeting by leading those present in the pledge of allegiance to the Flag.

CODE ENFORCEMENT REPORT

Code Enforcement Officer Fordham had 14 inspections, 11 building permits, 2 violation warnings, 5 septic inspections, all of which passed, 1 verbal warning, and 1 written warning. There is no longer enough funding to have Historian Miller help digitize paperwork in the Code office. A motion was made by Councilwoman Murphy seconded by Councilman Converse and agreed upon by all to pause digitizing in the Code Office until 2027. 4 Ayes (Murphy, Converse, Torrey, Lasher) 0 Nays.

HIGHWAY REPORT

In the month of June, the Highway Department Changed all cross pipes on Buchanan Road and Stone Road preparing it for asphalt, helped other towns with paving and sealing projects, and did a seconded pass of mowing. They also helped the Water Department with a well installation. Superintendent Jay reported the Town received permission from the railroad to pave the railroad crossings on Buchanan Road and Lasher Road.

On motion of Councilman Converse and second from Councilwoman Murphy the following Resolution was

ADOPTED

4 Ayes (Murphy, Converse, Torrey, Lasher)
0 Nays

RESOLUTION 29-2026

AUTHORIZATION FOR USE OF HIGHWAY OPERATING ACCOUNT FOR ACQUISITION OF PLOW TRUCK AND TRANSFER OF SNOW PLOW CAPITAL RESERVE TO REPLENISH HIGHWAY OPERATING ACCOUNT

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Rose in the County of Wayne, State of New York, at a regular meeting that was held on the 21st day of July 2026, duly adopted a resolution as follows:

WHEREAS, pursuant to Section 6-c of the General Municipal Law, the Town Board of the Town of Rose ("Town") established a specific equipment Capital Reserve Fund ("Fund") in the amount of \$ 201,675.34 to finance the acquisition of a plow truck; and

WHEREAS, by Resolution adopted July 21, 2026, with the approval of the Highway Superintendent, the Town Board authorized the purchase of a [Make: International] Model HX 520 plow truck chassis (the "Plow Truck") financed from the Fund in the amount of \$164,761.94; and.

WHEREAS, the Plow Truck has been delivered and payment on the invoice for the Plow Truck in the amount of\$ 164,761.94 is due by July 31, 2026; and

WHEREAS, the late fee for late payment on the Plow Truck invoice is 1.0% per month or \$1,648.00; and

WHEREAS, the funds available in the Fund are in the form of a Certificate of Deposit (the "CD") in the amount of \$201,675.34 that matures on August 7, 2026; and

WHEREAS, the early withdrawal penalty for early redemption of the CD is \$ 588.22 and the lost interest associated with an early withdrawal is approximately \$800; and

WHEREAS, the Highway Department's Money Market Balance from Lyons National Bank, which is the operating account currently has sufficient funds to pay the invoice for the Plow Truck and fund Highway Department operations through at least the end of August 2026; and

WHEREAS, payment of the Plow Truck invoice from the Highway Department's Money Market Balance from Lyons National Bank operating account and then replenishing the Highway Department operating account from the Fund upon maturity of the CD will save the Town approximately \$3,036.22; and

WHEREAS, the Highway Superintendent consents to (1) the payment of the Plow Truck invoice from the Highway Department operating account and (2) the replenishment of the Highway Department operating account from the Fund for the amount of the Plow Truck invoice following the maturity of the CD on August 7, 2026 so long as the Highway Department operating account is replenished by August 31, 2026.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to utilize the Highway Department operating account as the source of funds to pay for the Plow Truck invoice and to take the necessary actions and execute those documents necessary to make the necessary account transfers from the Highway Department operating account to pay such invoice; and

NOW BE IT FURTHER RESOLVED, that upon the maturity of the CD, the Supervisor shall take the necessary actions and execute those documents necessary to replenish the Highway Department operating account by no later than August 31, 2026 in the amount of \$ 164,761.94 from the Fund; and

BE IT FURTHER RESOLVED, that following the payment of the Plow Truck invoice, the Town Supervisor shall return the excess proceeds from the CD to the Fund to be placed in a new Certificate of Deposit with Lyons National Bank with a maturity date of August 7, 2026.

WATER REPORT

Well number 2 pumped 3,251,000 gallons; Well NO. 3 pumped 0 gallons; and well number 4 pumped 3,533,000 gallons. Two samples were taken and tested negative for coliform and E-coli. There were 3 final reads and 4 meters replaced. Moody's cleaned wells and replaced the pump at Well 4. They are ready for the 72-hour testing. Water Clerk Morganstern mailed letters to residents whose water bills had been returned to the office in an attempt to obtain their updated addresses due to changes by the Post Office. The area near the cold storage facility where a water main break occurred has not yet been repaired but has been smoothed over until the repair can be completed.

The Board asked Superintendent Jay if they were planning on clearing the drains. He reported that there was no available help from the county but will look into it.

PLANNING REPORT

The board asked for an update on drainage. Chairman of the Planning Board Steve Guthrie explained a survey would need to be completed. There are no funds in the 2026 budget for drainage. The board will make sure to budget for it in the 2027 budget meetings. The topic was tabled.

Resolution 30-2026

On motion of Councilwoman Murphy, second by Councilman Torrey the following Resolution was **ADOPTED**

4 Ayes (Murphy, Converse, Torrey, Lasher)

0 Nays

RESOLUTION MAKING NEGATIVE DECLARATION AND ENACTING LOCAL LAW NO. 1

WHEREAS, the Town of Rose Planning Board (“Planning Board”) recommended changes to the Zoning Law of the Town of Rose (“Zoning Law”), as set forth below, to align elements of the Zoning Law and Zoning Map with the Town of Rose Comprehensive Plan, adopted November 2024 (the “Comprehensive Plan”); and

WHEREAS, the Comprehensive Plan includes among its recommendations the denser development of businesses and mixed-use structures in the hamlets of Rose and North Rose to allow for more community services, retail, and housing; and

WHEREAS, the Comprehensive Plan concluded that having these services in the hamlets can help expand the tax base without intruding development into rural areas and that current community spaces should continue to be utilized and opportunities to develop new community spaces in the hamlets should be explored; and

WHEREAS, the Comprehensive Plan also contemplated a transportation corridor along Route 414 for denser mixed-use developments with housing in close proximity to retail and services; and

WHEREAS, the current zoning in the hamlets includes a significant number of Hamlet Residential (HR) District parcels along Route 414, which limits the types of commercial uses permitted along the main business corridors in the hamlets; and

WHEREAS, converting the HR District zoning for parcels along Route 414 in the hamlets to a Hamlet General Business (HGB) District would expand the permitted commercial uses in the hamlets while continuing to permit residential development; and

WHEREAS, proposed Local Law No. 1 of 2026, annexed hereto as Exhibit A (the “Proposed Local Law”), would amend the Zoning Law to update the Zoning Map to revise the zoning district for parcels along Route 414 in the hamlets from HR to HGB zoning (see the parcel list in the Proposed Local Law and the maps attached as Exhibit B showing the locations of the proposed parcels to be converted to HGB District zoning); and

WHEREAS, the proposal to include revisions to Section 607.C of the Zoning Law to permit above ground storage tanks at Motor Vehicle Filling Stations has been withdrawn from the Proposed Local Law for future consideration and recommendation by the Planning Board; and

WHEREAS, adoption of the Proposed Local Law could be considered a Type 1 action under the State Environmental Quality Review Act ("SEQRA") because it impacts the allowable uses in more than 25 acres in a zoning district; and

WHEREAS, Part 1 of a Long Form SEQRA Environmental Assessment Form ("EAF"), was prepared for the Proposed Local Law; and

WHEREAS, the Proposed Local Law and Part 1 of the Full Environmental Assessment Form for the Local Law were referred to the Wayne County Planning Board for review pursuant to General Municipal Law § 239-m; and

WHEREAS, on June 24, 2026 the Wayne County Planning Board approved the Local Law; and

WHEREAS, the Town caused Parts 2 and 3 of an Environmental Assessment Form for the Proposed Local Law to be prepared to evaluate the significance of the potential environmental impacts of the Proposed Local Law, which the Town Board has reviewed; and

WHEREAS, the Attorney for the Town has reviewed and approved the Proposed Local Law; and

WHEREAS, the Proposed Local Law has been on the desks of all Town Board members since April 21, 2026; and

WHEREAS, notice of a Public Hearing on the Local Law was timely published in the *Times of Wayne County*, and the Town Clerk also caused a copy of that Notice to be posted on the sign board of the Town maintained pursuant to Town Law §30(6), and on the Town of Rose web site; and

WHEREAS, a public hearing was duly held on the Local Law on May 20, 2026 at 6:30 PM before the Town Board at the Rose Town Hall and all persons desiring to speak were heard; and

NOW THEREFORE, IT IS RESOLVED, that Resolution 23-2026 adopting Local Law No. 1 of 2026 is hereby rescinded and deemed void; and

RESOLVED, pursuant to 6 N.Y.C.R.R. §617.6(b)(3)(i), the Town shall serve as Lead Agency for the SEQRA review of the Action; and it is further

RESOLVED, that the Town Board accepts Parts 1, 2, and 3 of the FEF; and

RESOLVED, that the proposed Action is a Type 1 action as defined by SEQRA, pursuant to 6 N.Y.C.R.R. §617.4(b)(1); and

RESOLVED, that the Town Board has considered the Local Law and its potential for environmental impacts; reviewed and considered Parts 1, 2, and 3 of the EAF, the criteria contained in 6 N.Y.C.R.R. §617.7(c), and other supporting information to identify the relevant areas of environmental concern; and thoroughly analyzed the identified relevant areas of environmental concern to determine if the Local Law may have a significant adverse impact on the environment, and finds that the Local Law would not have a significant impact on the environment, because:

1. The Local Law will not authorize or result in any specific additional projects or environmental impacts and subsequent projects that will result subsequent to this Local Law will undergo a project specific environmental review.

2. The Local Law would not result in any identified negative environmental impacts or induce other actions and is consistent with the Master Plan of the Town.

IT IS FURTHER RESOLVED, that pursuant to the State Environmental Quality Review Act, a Negative Declaration shall be made and duly filed in the Environmental Notice Bulletin, and an environmental impact statement need not be prepared; and it is

RESOLVED, that enactment of the Local Law is consistent with the objectives of the Comprehensive Plan of encouraging denser development of businesses and mixed-use structures in the hamlets of Rose and North Rose to allow for more community services, retail, and housing; and

FURTHER RESOLVED that, pursuant to the Municipal Home Rule Law and Town Law § 264, Proposed Local Law No. 1 of 2026 is hereby enacted, and shall be filed with the Secretary of State; and it is

FURTHER RESOLVED that pursuant to Section 301 of the Zoning Law, the Town Supervisor is directed to cause the zoning district amendments to be permanently affixed to the official zoning map on material suitable for reproduction promptly after this Local Law is filed; and

FURTHER RESOLVED, the Town Supervisor is directed to cause the amended official zoning map to be sealed and attested to by the Town Clerk and filed in the office of the Town Clerk.

The Board would like Planning Board and Zoning Board of Appeals members to attend training in 2027.

ZONING REPORT

A motion was made by Councilman Converse, seconded by Councilman Torrey and agreed upon by all to accept the resignation of Daryl Verstraight.

TOWN CLERK'S REPORT

DISBURSEMENTS

Paid to the Supervisor for General Fund	\$1,386.88
Paid to NYS DEC for DECALS	92.62
Paid to NYS Population Control Fund	45.00
Paid to NYS Dept. of Health for Marriage Licenses	45.00
Total Town Clerk Disbursements	\$1,569.50

A motion was made by Councilman Converse, seconded by Councilwoman Murphy and agreed upon by all to accept the reports as presented.

BUDGET MODIFICATIONS

RESOLUTION 31-2026

On motion by Councilwoman Murphy and second by Councilman Torrey, the following Resolution was

ADOPTED

4 Ayes (Murphy, Converse, Torrey, Lasher)

0 Nays

To pull \$59,980.60 FROM Savannah Water CD to put into SW8320.4 titled Power and Pumping Contractual.

ABSTRACTS

General # 221 General Abstract No. 221: OASIS is over budget by \$83.00. The OASIS representative requested \$1,119.66, which is the amount the Board will pay. The Board will speak with the representative regarding the budget discrepancy.

General # 224 A4050.4 was entered under the wrong fund code. The voucher will be removed from the abstract until the following meeting for correction.

Water #103 The voucher will be removed from the abstract until the following meeting for correction.

RESOLUTION 32-2026

On motion of Councilman Converse and second from Councilman Torrey the following Resolution was

ADOPTED

4 Ayes (Murphy, Converse, Torrey, Lasher)

0 Nays

BE IT RESOLVED, that the Town Board authorizes payment of the following amounts on Abstract No. 6, after revisions:

FUND	VOUCHERS	TOTAL
General	196-226	\$8,908.69
Highway	82-97	184,175.87
Water	92-107	67,814.34
Street Lighting Dist. 1	7	1,037.99
Street Lighting Dist. 2	7	806.99
Total Disbursements		\$262,743.88

MINUTES

A motion was made by Councilman Converse, seconded by Councilwoman Murphy, and agreed upon by all to accept the minutes of the June 16, 2026 meeting as written. 4 Ayes (Murphy, Converse, Torrey Lasher) 0 Nays.

OLD BUSINESS

Pointing the Town Hall bricks

The mason has not reported back to Councilman Torrey about scheduling the pointing of the bricks.

NEW BUSINESS

Local Law NO. 2-2026

On motion of Councilwoman Murphy and second by Councilman Torrey the following Resolution was

ADOPTED

4 Ayes (Murphy, Converse, Torrey, Lasher)

0 Nays

RESOLUTION 33-2026

WHEREAS, the New York State Legislature enacted General Municipal Law §3-c which establishes a limit upon real property tax levies by local governments, and **WHEREAS**, pursuant to General Municipal Law §3-c (5), a local government may adopt a budget in excess of the tax levy limit only if the governing body of such local government first enacts a local law to override the tax levy limit for the coming fiscal year only, and **WHEREAS**, the Town of Rose, NY Town Board not yet finalized the fiscal year 2027 budget, and may need the flexibility to exceed the property tax cap if it is deemed necessary, and **WHEREAS**, the current inflationary environment threatens to significantly increase costs to the Town, including those for labor, energy, equipment maintenance items, transfer station contract increases and road repair, among others. **NOW THEREFORE, BE IT ENACTED** by the Town of Rose NY, Town Board, as follows:

Section 1

Legislative Intent

The Rose Town Board has determined that it is important to maintain flexibility in the process of finalizing the fiscal year 2027 budget, and it may be necessary to override the limit on the amount of real property taxes that may be levied by the Town of Rose for the coming fiscal year 2027.

Section 2

Override of Tax Levy Limit

Upon the adoption of this local law, the Town Board is hereby authorized to override the tax levy limit for the coming fiscal year 2027, if the Board deems it necessary for the Town of Rose to adopt a budget for the fiscal year 2027 which may require a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 3

Legal Authority

The authority to override the tax levy limit is authorized by General Municipal Law §3-c (5), which expressly authorizes a local government to override the tax levy limit for the coming fiscal year 2027 by the adoption of a local law approved by a vote of sixty percent (60%) of the total voting power of its governing body, the Rose Town Board.

Section 4

Effective Date

This Local Law shall take effect immediately, in accordance with the provision of the Municipal Home Rule Law of the State of New York.

Workshop Meeting

A motion was made by Councilwoman Murphy, seconded by Councilman Converse and agreed upon by all to set a date for a workshop titled, "Local Laws, Policies, Projects and Bills," on August 13, 2026 at 4:30 p.m., at the Rose Town Hall.

Before the close of the meeting, a resident asked to address the board. Mr. David Ortiz addressed the Board regarding a request for a speed limit reduction on Glenmark Road. Mr. Ortiz stated that there are 15 children reside within a 1,500-foot span of the road and expressed concern for their safety due to traffic speeds in the area. Deputy Supervisor Lasher stated that Supervisor Rice will speak with Sherriff Milby regarding the matter.

EXECUTIVE SESSION

A motion was made by Councilman Torrey, seconded by Councilwoman Murphy and agreed upon by all to go into Executive Session at 8:52 p.m. to discuss employment history/discipline of a particular person.

A motion was made by Councilman Converse, seconded by Councilwoman Murphy and agreed upon by all to come out of Executive session and adjourn the meeting at 9:00 p.m.

Respectfully submitted by
Ann Gonzalez
Rose Town Clerk