

LEGAL NOTICE

RESOLUTION #20-2026

AUTHORIZING 2026 BUDGETED EXPENDITURE OF FUNDS FROM DB MACHINE RESERVE FUND TO DB FUND BALANCE AND UNBUDGETED EXPENDITURE OF FUNDS FROM DA MACHINE RESERVE TO DA FUND BALANCE PURSUANT TO TOWN LAW § 6-c(8), SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the Town Board of the Town of Palmyra (the “Town”) has previously established the DA and DB Machine Reserve Funds (the “Reserve Funds”) pursuant to General Municipal Law § 6-c for the original purpose of providing funds available for improvements, equipment, and maintenance of Town Highway Equipment; and

WHEREAS, Town Law § 6-c(8) authorizes the expenditure of such funds subject to permissive referendum; and

WHEREAS, the Town Board has determined that it is in the best interests of the Town and its residents to utilize available funds in the Reserve Funds to pay all or a portion of a vehicle purchase; and

WHEREAS, the DA and DB Reserve Funds currently hold sufficient funds to cover the proposed expenditures; and

WHEREAS, this resolution is subject to permissive referendum as required by Town Law § 6-c(8) and § 90.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Palmyra, as follows:

Article 1 — Authorization of Expenditure

1. The Town Board hereby authorizes the expenditure of \$79,000.00 from the DB Machine Reserve Fund (in the approved 2026 budget) and \$37,000.00 from the DA Machine Reserve Fund for the purpose of paying for the outfitting of a highway vehicle, finding that such expenditure is consistent with the purposes for which the Reserve Funds were originally created.

Article 2 — Findings and Determinations

1. The Town Board finds and determines that:
 - A. The Reserve Fund contains sufficient funds to make the authorized expenditure without impairing the Reserve Funds’ ability to serve its purpose or other lawful purposes

Article 3 — Implementation and Administration

1. The Town Supervisor is hereby authorized and directed to execute any and all documents necessary to effectuate the transfer of funds from the Reserve Funds and take all other actions reasonably necessary or appropriate to implement this resolution.
2. This resolution is subject to permissive referendum pursuant to New York Town Law § 6-c(8) and § 90. No action to transfer or expend funds shall be taken during the permissive referendum period;

3. If no valid petition for referendum is filed, or if a referendum is held and the proposition is approved by voters, the Town Supervisor shall implement the authorized expenditure on or before October 26th, 2026.
4. The Town Clerk is hereby directed to publish and post a notice of the adoption of this resolution in the manner prescribed by Town Law § 90 within ten (10) days after the date of adoption. Such notice shall include: i) the date of adoption of this resolution; ii) an abstract of the resolution; iii) statement that this resolution is subject to permissive referendum; iv) instructions for filing a petition for referendum and the deadline for filing; and v) such other information as may be required by law.
5. The Town Clerk shall further file a certificate of publication and posting with the Town records.
6. **Petition Requirements.** A petition for referendum may be filed in accordance with Town Law § 90, which requires:
 - A. Signatures of qualified voters of the Town equal to at least five percent (5%) of the total votes cast for Governor at the last gubernatorial election in the Town;
 - B. The petition must be filed with the Town Clerk within thirty (30) days after publication or posting of the notice, and the petition must be in the form and contain the information required by Town Law § 90.
7. **Effect of Petition.** If a valid petition for referendum is filed: i) the implementation of this resolution shall be suspended pending the outcome of the referendum vote; ii) the Town Board shall direct the holding of a referendum election in accordance with Town Law and Election Law; and iii) this resolution shall not take effect unless approved by a majority of the qualified voters voting on the proposition at such referendum.
8. **Effect of No Petition.** If no valid petition for referendum is filed within the thirty (30) day period, this resolution shall take effect automatically upon expiration of such period.

Duly moved and carried by the Town Board of the Town of Palmyra on September 24, 2026.