

**SPECIAL TOWN BOARD MEETING**

**PALMYRA TOWN HALL  
DECEMBER 3, 2009**

The following legal notice for a Special Town Board Meeting was posted and published in accordance with law:

**LEGAL NOTICE**

TOWN OF PALMYRA

NOTICE OF SPECIAL MEETING

LEGAL NOTICE

**NOTICE IS HEREBY GIVEN**, that a special meeting will be held at the Town Hall of the Town of Palmyra, 1180 Canandaigua Road, Palmyra, New York, on the 3rd day of December, 2009, at 7:30 p.m., for the purpose of approving the closing of the Southwest Quadrant Sewer Project loan and execution of appropriate paperwork and any other matters brought before the Town Board.

**LEGAL NOTICE OF  
SPECIAL TOWN  
BOARD MEETING**

Dated: November 30, 2009  
Irene E. Unterborn  
Palmyra Deputy Town Clerk

The following were in attendance at this meeting: Robert Grier, CEO, and Todd Pipitone.

**MEETING  
ATTENDANCE**

At 7:30 p.m., Supervisor Lyon thanked those present and called to order the Special Town Board Meeting, scheduled for Thursday, December 3rd, 2009, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York, to discuss the Southwest Quadrant Sewer Project, and any matters needing Board attention.

**CALL TO ORDER  
SPECIAL TOWN  
BOARD MEETING**

Supervisor Lyon led those present in the Pledge of Allegiance to the Flag.

**PLEDGE TO THE  
FLAG**

Upon roll call, the following board members were present:

- David C. Lyon, Supervisor
- David Nussbaumer, Councilman
- Michael Lambrix, Councilman
- Kenneth Miller, Councilman

Councilman James Welch was excused.

**ROLL CALL**

**AGENDA ITEMS**

1. Resolution: Approve the Southwest Quadrant Sewer Project as constructed. The following resolution was presented to the Town Board authorizing the appropriate town officials to close out the project.

**RESOLUTION:  
APPROVE THE  
SOUTHWEST  
QUADRANT SEWER  
PROJECT AS  
CONSTRUCTED**

In the Matter of the  
Southwest Quadrant Sewer Project

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Resolution

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“Whereas, the construction of the improvements for the Town of Palmyra Southwest Sewer District have been completed and approved by the NYS Department of Environmental Conservation; and

Whereas, the Town of Palmyra has previously made final payment to the contractor;

Now, therefore be it resolved, that the Town of Palmyra accepts the project as constructed and be it further resolved that the appropriate officials of the Town of Palmyra be authorized to close out the project with the Rural Development of USDA and execute the necessary papers.”

The above Resolution was unanimously passed.  
Dated: December 3<sup>rd</sup>, 2009

**MTN: APPROVE  
RESOLUTION TO  
AUTHORIZE THE  
SOUTHWEST  
QUADRANT SEWER  
PROJECT AS  
CONSTRUCTED**

Sewer  
Rural  
papers.

David Nussbaumer made the motion to approve the resolution to authorize the Southwest Quadrant Project as constructed, close out the project with the Development of USDA and execute the necessary

Second: Ken Miller

Vote: 4 Ayes. Carried.

- 2. Resolution: Amend resolution from March 26, 2009 that created the Floodman Road Water Improvement Area. The following resolution was presented to the Town Board reducing the total amount to be expended for the improvements from \$497,500.00 to \$492,200.00.

Amended Resolution  
 In the Matter of the Creation of  
 The Floodman Road Water Improvement Area in the  
 Town of Palmyra, County of Wayne, State of New York

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WHEREAS, the Board did on March 26, 2009 create the Floodman Road Water Improvement Area subject to a Permissive Referendum; and

WHEREAS, the Resolution, by its terms, recited that "the maximum amount to be expended on all improvements in the Improvement Area is Four Hundred Ninety Seven Thousand Five Hundred and 00/100 Dollars (\$497,500.00);" and

WHEREAS, the Town's consulting engineers have reaffirmed to the Town that the maximum amount to be expended for the Floodman Road Water Improvement Area will not exceed Four Hundred Ninety Two Thousand Two Hundred and 00/100 Dollars (\$492,200.00).

NOW, therefore, be it RESOLVED that the Resolution creating the Floodman Road Water Improvement Area be modified by reducing the total amount to be expended for the improvements in the Improvement Area will be Four Hundred Ninety Two Thousand Two Hundred and 00/100 Dollars (\$492,000.00) and that the Resolution creating the Floodman Road Water Improvement Area be amended to read as follows:

"And it is FURTHER RESOLVED that the maximum amount to be expended for all improvements in the Improvement Area is Four Hundred Ninety Two Thousand Two Hundred and 00/100 Dollars (\$492,200.00)."

And be it FURTHER RESOLVED that the Town Clerk shall forward this Resolution to the Office of the State Comptroller.

The above Resolution was unanimously passed.  
 Dated: December 3<sup>rd</sup>, 2009

**RESOLUTION:  
 AMEND  
 RESOLUTION FROM  
 MARCH 26, 2009  
 REDUCING  
 AMOUNT TO BE  
 SPENT ON  
 FLOODMAN ROAD  
 WATER  
 IMPROVEMENT  
 AREA**

**MTN: APPROVE RESOLUTION AMENDMENT FROM 3/26/09 REDUCING AMOUNT TO BE SPENT ON THE FLOODMAN RD WATER IMPROVEMENT AREA**

David Nussbaumer made the motion to approve the resolution reducing the total amount to be expended for the Floodman Road Water Improvement Area from \$497,500 to \$492,200.

Second: Michael Lambrix                      Vote: 4 Ayes. Carried

- 3. Set Date for 2009 Town Organizational Meeting: Each year at this time, the Town Board sets the date for the following year's Organizational Meeting. Ken Miller made the motion to set Thursday, January 7, 2010, for the 2010 Organizational Meeting, at 7:30 p.m., at the Palmyra Town Hall.

Second: David Nussbaumer                      Vote: 4 Ayes. Carried

**MTN: SET JAN. 7, 2010 FOR TOWN ORGANIZATIONAL MEETING**

- 4. Motion to Enter Executive Session: At 7:36 p.m., David Nussbaumer made the motion to enter into Executive Session to discuss contractual matters. CEO Robert Grier was invited to stay for the Executive Session.

Second: Ken Miller                      Vote: 4 Ayes. Carried

At 7:58 p.m. Supervisor Lyon declared the Board out of Executive Session.

**MTN: TO ENTER INTO EXECUTIVE SESSION**

- 5. Motion to Adjourn: At 8:00 p.m., David Nussbaumer made the motion to adjourn the meeting.

Second: Michael Lambrix                      Vote: 4 Ayes. Carried

**MTN: TO ADJOURN MEETING**

Respectfully submitted,

Irene E. Unterborn  
Palmyra Deputy Town Clerk

**NEXT TOWN BOARD MEETING:  
TUESDAY, DECEMBER 29, 7:30 P.M.**

**PALMYRA TOWN HALL**