

**REGULAR MEETING OF THE TOWN BOARD**

**PALMYRA TOWN HALL  
SEPTEMBER 27, 2012**

At 7:00 p.m., Supervisor Kenneth Miller thanked those present for coming this evening.

The following resolution, for the Proposed Local Law No. 1 of the Year 2012, announced the first Public Hearing on the agenda. It had been printed in the Town’s official newspaper, *The Times of Wayne County*, and posted on the Town Hall’s bulletin board previous to this Public Hearing, in accordance with law.

**PUBLIC HEARING  
FOR PROPOSED  
LOCAL LAW #1—  
OVERRIDE 2%  
TAX CAP**

**RESOLUTION #18-2012**

**PROPOSED LOCAL LAW NO. 1  
OF THE YEAR 2012**

**BE IT RESOLVED**, that proposed Local Law No.1 of the year 2012, A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c, be given to the Palmyra Town Board, and

**BE IT FURTHER RESOLVED** that the Town Board hold a Public Hearing on said Proposed Local Law at the Palmyra Town Hall, 1180 Canandaigua Road, in the Town of Palmyra, New York at 7:00 p.m. on Thursday, September 27, 2012.

**BE IT FURTHER RESOLVED** that the Town Clerk publish, or cause to be published, a public notice in the official newspaper of the Town of said public hearing at least ten (10) days prior thereto, and

**BE IT FURTHER RESOLVED** that the Town Clerk post on the Town Hall bulletin board a public notice at least ten (10) days prior thereto.

**LEGAL NOTICE  
ANNOUNCING  
PUBLIC HEARING**

DATED: August 23, 2012  
BY ORDER OF THE PALMYRA TOWN BOARD

Supervisor Miller asked those present to make any comments or ask questions they may have about this.

Councilman Dave Nussbaumer said this resolution was to protect the Town “just in case” an unusual expense was needed that would exceed the State’s 2% cap. He said Palmyra’s Town Board has stayed within the 2% cap for many years, and doesn’t plan to exceed the cap this year either. Hearing no other comments or discussion, Ken Miller called the hearing closed at 7:01 p.m.

**CLOSE PUBLIC  
HEARING**



- 2. **Tickets by Town:** The Wayne County Sheriff’s Office released the number of services provided to Palmyra by them, during the month of August. **TICKETS BY TOWN FROM SHERIFF’S OFFICE**
  
- 3. **Association of Towns’ Fall Personnel & Ethics School:** An invitation was received to a one-day seminar on personnel management, labor relations and ethics, on November 2, 2012, in Syracuse. Those interested in attending should let their wishes be known. **FALL PERSONNEL AND ETHICS SCHOOL**
  
- 4. **Recycle Day:** Ken announced the County is sponsoring a Recycle Day for hazardous materials. It will be set up by appointment only. Contact Ken Miller for details. **RECYCLE DAY**

**REPORTS OF STANDING COMMITTEES**

**Economic Development, Appeals and  
Town Clerk’s Office Committee – Todd Pipitone, Chairman**

- 1. **Town Clerk’s Office Report for September:** Town Clerk Lynne Green provided Board members copies of the office report for September. Pal-Mac school taxes are being paid and our office is experiencing the busiest month of the year at the counter and on the phones. In addition, hunting/fishing licenses are available for the new hunting season, and Palmyra water bills are due. Since school is back in session, Town Hall is again booked most every day—primarily by classes offered through the Palmyra Community Center. **TOWN CLERK’S OFFICE REPORT FOR SEPTEMBER**

Preparing the 2013 budget took up a chunk of time as we reviewed previous budgets to come up with our numbers.
  
- 2. **Request for PC Tower:** In this year’s budget, there is sufficient to purchase a new PC tower. As archival records are added and indexed, there’s the need for more powerful PCs to accommodate them. Also, past tax information is still available and is added to each tax collection season. Our office is planning for a second tower next year, and has budgeted it also. **REQUEST FOR PC TOWER FOR TOWN CLERK’S OFFICE**

REQUEST TO  
ATTEND  
REGIONAL  
WORKSHOP

- 3. **Regional Workshop available in October:** Information was available for Board members about a workshop in October with programs on "Managing Electronic Records from Soup to Nuts" and "Town Clerks' Fiscal Responsibilities and Audit Preparedness." The cost is \$35 for the workshop. Also requested was mileage reimbursement to and from Utica.

BEGIN SECOND  
PUBLIC  
HEARING

At this point in the meeting, it was 7:10 p.m., and time for our second Public Hearing. Ken Miller called the hearing to order and introduced the presenter, David Richards, from the Wayne County Industrial Development Agency (WCIDA).

RESOLUTION  
CONCERNING  
COMMUNITY  
DEVELOPMENT  
BLOCK GRANT  
PROJECTS  
HEARING

The following resolution, setting the Public Hearing for Community Development Block Grant Projects, was available to the Board and to the public. The appropriate legal notice had been printed in the Town's official newspaper, *The Times of Wayne County*, and posted on the Town Hall's bulletin board previous to this Public Hearing, in accordance with law.

**RESOLUTION #20-2012**

**RESOLUTION SETTING PUBLIC HEARING  
FOR COMMUNITY DEVELOPMENT BLOCK GRANT  
PROJECTS**

LEGAL NOTICE  
ANNOUNCING  
PUBLIC  
HEARING

***WHEREAS***, an advertised Public Hearing is necessary to fulfill citizen participation requirements of the Grant Application process (24 CFR570.486 and NYS Citizen Participation Plan) prior to the submission of any applications for Community Development Block Grant assistance in order to give citizens an opportunity to identify and discuss the community's needs and priorities, including the needs of low and moderate income persons, and to propose possible community development projects, in addition to those identified by the Town, for inclusion in an application for funding under the New York State Community Development Block Grant Small Cities Program; and

***WHEREAS***, The Town of Palmyra may have an interest in filing applications for this program during the year 2012;

***NOW, THEREFORE, BE IT RESOLVED***, that the Town Board hereby authorizes the Town Clerk to advertise and conduct this hearing; and

***BE IT FURTHER RESOLVED***, that the hearing be set for Thursday, September 27, 2012 at 7:10 PM in the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York; and

***BE IT FURTHER RESOLVED***, that the Town Clerk is hereby directed to publish notice in the legal newspaper for the Town for the first available publication.

**BY ORDER OF THE TOWN BOARD**

**Dated:** August 23, 2012

Dave had a handout available to the Board and the public outlining work in partnership with local governments through a federally-funded program called the Community Development Block Grant (CDBG) Program. Grants are available for funding for housing, public facilities, infrastructure, economic development programs and small business assistance.

**PRESENTATION  
ABOUT BLOCK  
GRANT**

A copy of this CDBG handout is included with these minutes as Attachment A.

**ATTACHMENT A**

For grant assistance specifically in Palmyra, the hearing was to consider a grant application for a company wishing to move to Palmyra from Newark. With this program, the company plans to manufacture submersible pumps for industrial purposes, expanding from 6 employees to 24-25, and using industrial facilities available at the north end of Division Street.

**CLOSE  
HEARING**

After his presentation, Dave said he was available for questions. Although there were no questions, a few comments were made. Ken Miller announced the hearing closed at 7:15 p.m.

**Highway Committee – James Welch, Chairman**

1. **September Highway Report:** Although Highway Superintendent Mike Boesel wasn't in attendance this evening, as he is attending the Fall Highway Conference, he submitted the following report From August 23, through September 27, 2012:

*Highway Superintendent Report  
for Town Board Meeting  
9/27/2012*

*Since the 8/23/12 meeting we have completed the following work:*

- *Chipsealing – Garnsey Road and Harris Road*
- *Wedging – Floodman Road, Hanley Road, Leroy Road, Cole Road*
- *Inter-municipal Assistance*
  - *8/24/12                    3 Walworth trucks to Palmyra to assist with chipsealing*
  - *8/29/12-                2 Palmyra trucks to V.Newark to assist with paving-Miller St*
  - *8/30/12                3 Palmyra trucks to T.Macedon to assist with paving-Hance Rd*

**HIGHWAY  
SUPERINTEN-  
DENT REPORT  
FOR  
SEPTEMBER**





be meeting and the length of the term of office. Ken invited him to attend a scheduled Planning Board meeting to see if he would be willing to accept. We are awaiting his response.

CONSIDERATION  
FOR PLANNING  
BOARD  
REPLACEMENT

Ken also made the notation that a current Town Planning Board member cannot sit on the County Planning Board because the county board is an advisory board to the Town Planning Board.

Ken added he is still open to names to fill the vacancy on the County Planning Board.

- 3. **Handicapped Ramp at Town Hall:** Mike Lambrix said he contacted "several people" about repairing/replacing the handicapped accessible ramp, but they said they "cannot handle the job." With a three-part quote from Brad Jacobs & Sons Masonry, Mike went over the options available. Since the building must have a ramp by law, he added, he referred back to previous minutes citing this as a safety concern. Ken Miller said the best fix would be to redo the whole South entrance. But the \$6,775 was too much for the town at this time. Consensus of the Board leans to Option #3—saw cutting and demolishing part of the ramp where there is damage and deterioration, and pinning it to the main portion of the ramp.

HANDICAPPED  
RAMP REPAIR/  
REPLACE AT  
TOWN HALL  
DISCUSSION

- 4. **Fire Department contracts:** Mike Lambrix announced the three Fire Department contracts are now complete, and tonight we should determine when the public hearings will be.

3 FIRE DEPT.  
CONTRACTS  
NOW COMPLETE

**Zoning and Assessor's Office Committee**  
– David Nussbaumer, Chairman

- 1. **Assessor's Office Report for September:** Assessor Elaine Herman submitted her September report for Board members to peruse. There were no comments at this time.

ASSESSOR'S  
OFFICE REPORT  
FOR  
SEPTEMBER

Ken added frustration by the Assessor's office in the listing of the Town's telephone and fax numbers in the Wayne County Telephone Directory. Numbers have been wrong for the last four or five years. Repeated calls to Verizon have seen some changes—creating other wrong numbers. Mike Lambrix wondered if the Town should run a small ad in the newspaper with correct numbers. Since we no longer use Verizon service here, they apparently "have little incentive to correct" the errors.

PROBLEMS  
WITH WRONG  
PHONE  
NUMBERS IN  
TELEPHONE  
DIREDTORY



- 2. **Code Enforcement/Zoning Office Report:** September CEO Reports, including permits issued, were included in Board packets. There were no comments from the Board about them. **CODE/ZONING OFFICE SEPTEMBER REPORT**

- 3. **Nuisance Properties Follow-Up:** At the direction of the Town Board in their meeting of August 23<sup>rd</sup>, Town Clerk Lynne Green was asked to make the following requests for nuisance properties follow-up:

--Memorandum to Code Enforcement Officer Dan Wooden to follow up on two properties on East Palmyra-Port Gibson Road with numerous violations. Code Enforcement Officer Dan Wooden responded with his memo of September 27 of follow-up. These are included with these minutes as Attachment C.

**FOLLOW-UP TO NUISANCE PROPERTIES REPLIES FROM CODE ENFORCEMENT OFFICER INSPECTION AND TOWN JUSTICE COURT CASE**

--Memorandum to Town Justice Terry Rodman concerning a property on Garnsey Road, where there has been an ongoing situation in court. Justice Rodman's letter of September 25 brought Town Board members up to date on court appearances and decisions, including closing the case on February 10, 2011. Rodman adds, "any further questions regarding this matter should be directed to either the Town's Zoning Department or Bruce Rosekrans (Zoning legal counsel).

**ATTACHMENT C**

- 4. **Zoning Board of Appeals Meeting in September:** Minutes of the September 13, 2012 Zoning Board meeting were included in Board members' packets. There were no comments. **MINUTES FROM SEPTEMBER ZONING BOARD MEETING**

**INFORMATIONAL ITEMS**

- 1. **Contracts Discussion:** Mike Lambrix announced all three fire department contracts are now done, and the dollars have been budgeted. The next step will be the public hearing, to be scheduled for October 25<sup>th</sup> at the East Palmyra Fire Hall. **FIRE DEPT. CONTRACTS DONE & BUDGETED. PUBLIC HEARING FOR OCTOBER 25**

Councilman Todd Pipitone commended Councilman Lambrix for "his work on this."

**MARION OUT-  
OF-DISTRICT  
WATER  
CONTRACTS  
SIGNED**

2. **Out-of-District Water User Contracts Update:** Both Marion out-of-district water contracts have been signed by both towns and are ready to file. The Manchester contract is still pending.

**REGIONAL  
LOCAL  
GOVERNMENT  
WORKSHOP IN  
NOVEMBER**

3. **Fall 2012 Regional Local Government Workshop:** Fliers were received for the November Workshop in Batavia. Ken Miller asked if any Board members wish to attend, they should contact Lynne Green to make their reservation.

**NEW LEASE  
WITH IMPACT  
THEATRE  
SIGNED**

4. **New Lease with Impact Theatre:** Both the Town and Impact Theatre have signed the new lease, which includes the rental of a second storage room. Both parties have an original of the lease, and the Town's has already been filed.

**QUOTE FOR  
UPGRADE OF  
SONICWALL  
NETWORK  
SECURITY  
APPLIANCE FOR  
SERVER**

5. **Quote for Upgrade of SonicWALL Network Security Appliance:** Integrated Systems, our IT provider, submitted a quote for a SonicWALL Network Security Appliance to replace the current one that "is at the end of life and will no longer be supported as of 7/1/2013." The quote is \$885, for the Board to consider. Ken added that this appliance is "between Time-Warner Cable and our server." He has to put it on order by October 1<sup>st</sup> to recognize savings.

**CONSERVATION  
TOOL-KIT  
INFORMATION  
AND  
DISCUSSION**

6. **Conservation Tool-Kit Information:** Ken learned of a new "Wayne County New York Quick Reference Invasive Plant Species Identification Guide" just released from the Wayne County Soil & Water Conservation District "to help with awareness and eradication efforts of invasive species." This guide provides easy identification and will be available to the public. It also fits inside one's back pocket. A \$3 donation is requested. Several Board members are interested in ordering a guide. Todd Pipitone said it would be a good idea to "buy a dozen" and put them for sale in the Town Clerk's office at \$3 each. Ken added it is "quite a nice book" and would also be good for the Highway Department, as they deal with roadside mowing in the summer.

**125<sup>TH</sup> ANNIV.  
CONGRATULA-  
TION TO  
GARLOCK**

7. **Congratulations to Garlock:** Ken received word that this year is Garlock, Inc.'s 125<sup>th</sup> anniversary. He sent a letter of congratulations on behalf of the Town of Palmyra to Garlock's president.

- 8. **Petition to Lower Speed Limit on Maple Avenue:** Joel Neal, a resident of Maple Avenue, brought a petition to the Board requesting a lower speed limit from the railroad tracks to Marion-Walworth Road. Many residents of Maple Avenue signed the petition which states: *"We, the undersigned residents of Maple Avenue, Palmyra, NY 14522, request that the Town Board submit this signed petition for the lowering of the speed limit on Maple Avenue between the railroad tracks at Gooney's Cross and Route 441 to the proper authorities. Due to development of the area there is an increase in the number of children, pets, bicyclists, joggers and walkers that are put at risk with the current speed limit of 55 mph."* (31 signatures)

**PETITION TO LOWER SPEED LIMIT ON MAPLE AVENUE DISCUSSION**

There was a lot of discussion after Mr. Neal spoke of seeing trucks "dragging down the road," an accident where a young girl was killed, drivers "flying over the tracks," and concern for walkers and joggers. Todd Pipitone asked what reduction Neal proposes. The answer was 45 mph. There are state mandates for speed limits, and Maple Avenue is a county road. Neal added it would also be nice if the current limits were enforced.

Mike Lambrix suggested the petition be reworded with the words "reduce to 45 mph" included, and re-signed. Mike also thought contacting every homeowner in the area would strengthen the impact of the petition. Ken Miller added a letter to the County Highway Department from Palmyra can be sent asking them to evaluate the change. Ken said he would be happy to bring this to the Wayne County Sheriff's attention, especially to enforce the existing speed limit now.

**MTN: SEND LETTER OF SUPPORT ON BEHALF OF TOWN BOARD TO ACCOMPANY PETITION TO COUNTY HIGHWAY DEPARTMENT**

Mike Lambrix made the motion to send a letter of support on behalf of the Palmyra Town Board, to accompany the petition sent to the County Highway Department.

Second: Todd Pipitone

Vote: 5 Ayes. Carried.

- 9. **Public Input:** East Palmyra resident Roy Wilck asked for an update on the closed bridges that cross the Erie Canal. He was asked to talk with Councilman Dave Nussbaumer after the meeting.

**PUBLIC INPUT**



- 4. **Approve: Quote for Handicapped-Accessible Ramp Repair/ Replacement at Town Hall:** As noted in the August 23<sup>rd</sup> meeting of the Town Board,

*"The Handicapped Ramp, at the South end of Town Hall, which is over 25 years old, has cracks and chunks of cement missing from around the railing post footings. A request was sent out for bids to repair the ramp. Brad Jacobs & Sons Masonry, Inc. submitted 3 bids—a) repair ramp patching with cement and glue for short-term patching--\$825; b) replace ramp completely by demolishing current ramp and hauling away, pinning into existing building foundation and pouring and sealing concrete (5' x 25')--\$6,775; and c) repair ramp by cutting out about 1' of current ramp edge (1' x 25'), drilling and pinning into existing concrete ramp, pouring new outside edge of ramp and sealing--\$2,100."*

This was brought up again, and Mike Lambrix said other contractors he had contacted weren't interested in this project. After short discussion, Board members decided quote #3 would be the best solution to the problem. Mike Lambrix made the motion to approve Brad Jacobs for the ramp repair not to exceed \$2,100.

**MTN: APPROVE  
BRAD JACOBS  
QUOTE TO  
REPAIR  
HANDICAPPED  
RAMP NOT TO  
EXCEED \$2100**

Second: Dave Nussbaumer                      Vote: 5 Ayes. Carried.

Mike added he will contact Brad Jacobs. Jim Welch asked if it can be completed before winter. Todd asked if there is a contingency plan for the disabled during construction.

- 5. **Resolution #19-2012: Approve Proposed Local Law #1 for 2012 to Override Tax Levy Limit:** With the Public Hearing completed, and any comments or concerns so noted, Councilman Dave Nussbaumer made the motion to approve Local Law #1 for 2012—Override Tax Levy Limit of 2%:

**RESOLUTION #19-2012**  
*Proposed Local Override Law*  
**Proposed Local Law No. 1 of the year 2012**  
**Town of Palmyra, County of Wayne**  
**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT**  
**ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c**

**RESOLUTION  
#19-2012—  
OVERRIDE TAX  
LEVY LIMIT FOR  
FISCAL YEAR  
2013**

**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, County of Wayne pursuant to General Municipal Law § 3-c, and to allow the Town of Palmyra, County of Wayne to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district*

*governed by the town board for the fiscal year 2013 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 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 2013 that requires a real property tax levy in excess of the limit specified 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.*

*Adopted this 27<sup>th</sup> day of September, 2012, at the meeting of the Palmyra Town Board. BY ORDER OF THE PALMYRA TOWN BOARD*

Second: Todd Pipitone A roll call vote was requested.

Supervisor Kenneth Miller	Aye
Deputy Supervisor James Welch	Aye
Councilman David Nussbaumer	Aye
Councilman Michael Lambrix	Aye
Councilman Todd Pipitone	Aye

Vote: 5 Ayes. Approved.

- 6. **Accept: Tentative 2013 Budget:** After working with department heads, the bookkeeper, and considering each item on the 2013 Palmyra Town Budget, Todd Pipitone made the motion to accept the 2013 Tentative Budget.

Second: Mike Lambrix A roll call vote was requested.

**RESOLUTION  
#19-2012—  
OVERRIDE TAX  
LEVY LIMIT FOR  
FISCAL YEAR  
2013**

**MTN: APPROVE  
RESOLUTION 19-  
2012—OVERRIDE  
TAX LEVY LIMIT  
OF 2% ON 2013  
BUDGET**

**ROLL CALL  
VOTE**

**APPROVED.**

**MTN: ACCEPT  
TENTATIVE 2013  
BUDGET**

Supervisor Kenneth Miller	Aye
Deputy Supervisor James Welch	Aye
Councilman David Nussbaumer	Aye
Councilman Michael Lambrix	Aye
Councilman Todd Pipitone	Aye

**ROLL CALL  
VOTE**

Vote: 5 Ayes. Approved.

**APPROVED**

Now that the Tentative Budget has been approved by the Town Board, it becomes the Preliminary Budget.

**TENTATIVE  
BUDGET  
BECOMES  
PRELIMINARY  
BUDGET**

Supervisor Miller thanked all those who worked on this budget. A copy will be available to the public in the Town Clerk’s office. One can see it in its new format, since it was prepared using the new software installed in the Bookkeeper’s office earlier this year. Ken added he feels this is a “very fair budget for residents in Palmyra.” Mike Lambrix announced that, while other municipalities hire outside accounting firms to prepare their budgets, this budget was prepared by the Board with cooperation from the various departments. Also, he said, the Town’s increases are very little and are below the mandated cap from Albany. Dave Nussbaumer said we have been consistent in making small increases only. Jim Welch noted this “was the hardest budget to prepare in years.” Todd Pipitone invited the public to take a look at the budget. Ken concluded by saying the new software is “much more user-friendly” and we are now able to create an electronic version of the budget—which includes the operation of the Town, water districts, etc.

**DISCUSSION  
ABOUT 2013  
BUDGET**

- 7. **Resolution #24-2012: Schedule Public Hearings for Three Fire Department Contracts:** The following resolution sets the Public Hearings for the three Fire Department contracts on October 25, 2012 at the East Palmyra Fire Hall:

**RESOLUTION #24-2012**

*Schedule Public Hearing for*

**VILLAGE OF PALMYRA FIRE PROTECTION DISTRICT**  
**EAST PALMYRA FIRE PROTECTION DISTRICT**  
**PORT GIBSON FIRE PROTECTION DISTRICT**

**RESOLUTION  
#24-2012 SET  
PUBLIC  
HEARING FOR  
THREE FIRE  
DEPARTMENT  
CONTRACTS**

*WHEREAS, the 2011-2012 Fire Protection District Contracts are about to expire and another two-year contract is to be considered for each of these three (3) Fire Protection Districts, and*





*BE IT FURTHER RESOLVED, that the Palmyra Town Clerk will have a notice of the Public Hearing date, time and location published in the official Town newspaper, at least ten (10) days prior to the Public Hearing, and*

*BE IT FURTHER RESOLVED, that those wishing to address the Palmyra Town Board concerning the 2013 Budget at the Public Hearing will have the opportunity to do so.*

*DATED: September 27, 2012*

*BY ORDER OF THE PALMYRA TOWN BOARD*

Councilman Dave Nussbaumer made the motion to set the Public Hearing for the 2013 Town Budget at 7 p.m. on November 8, 2012 at the Palmyra Town Hall.

Second: Todd Pipitone

Vote: 5 Ayes. Carried.

**MTN: APPROVE  
RESOLUTION  
#23-2012:  
SCHEDULE  
PUBLIC  
HEARING FOR  
2013 TOWN  
BUDGET**

- 9. **Approve: Resolution #19-2012: Approve Community Development Block Grant Resolution:** With the following legal notice published in the official Town of Palmyra newspaper, and with the notice posted on the Town’s bulletin board, in accordance with law, and with the Public Hearing completed, and any comments or concerns so noted, Councilman Dave Nussbaumer made the motion to approve participating in the following Community Development Grant Program:

**New York State Community Development**

**Block Grant Small Cities Program**

*The Town of Palmyra, New York will hold a public hearing on September 27, 2012, at 7:10 PM at the Town Hall, 1180 Canandaigua Road, Palmyra, NY to obtain the input of citizens, particularly low- and moderate-income persons, with regard to the Small Cities Community Development Block Grant Program (CDBG). The CDBG program is administered by the NYS Housing Trust Fund, Office of Community Renewal (OCR). Citizens are invited to participate in the development of the Town’s Community Development project including assessing community development needs and priorities.*

*At the public hearing the Town will describe the types of grant assistance available from the New York State Office of Community Renewal and will seek comments and suggestions from the public as to proposed uses of Community Development Block Grant funds. The types of activities that may be undertaken with Community Development Block Grant program funds include acquisition*

**RESOLUTION  
#19-2012:  
APPROVE  
COMMUNITY  
DEVELOPMENT  
GRANT  
RESOLUTION**

**RESOLUTION  
#19-2012: APPROVE  
COMMUNITY  
DEVELOPMENT  
GRANT  
RESOLUTION**

*and disposition of real property, public facilities and improvements, clearance activities, public services, payment of non-federal share of another federal program, removal of architectural barriers, relocation, rehabilitation and preservation activities, economic development and job creating activities. Approximately \$28 million in CDBG funds are available through the Consolidated Funding Application (CFA) for Public Infrastructure, Public Facilities, Economic Development, Small Business Assistance, NY Main Street and Rural Area Revitalization. The Town will also explain the primary and national objectives of the program, the State's CDBG requirements, the process and timeline for submitting application(s) through CFA and the timing of award announcements.*

*A draft application for Community Development Block Grant assistance will be reviewed. The Town proposes to submit an application for the Fiscal Year 2012 Community Development Block Grant (CDBG) under the New York State Office of Community Renewal's Small Cities Economic Development Program. The application will be on behalf of Faradyne Motors LLC in an amount not to exceed \$340,000. The Grant would allow Faradyne Motors LLC to purchase and install production and R & D equipment at facilities located at 2077 Division Street, Palmyra, NY 14522. The total project cost is estimated at \$8,000,000. No Town match is required. The project, if funded, will make available 24 full time jobs, 13 jobs of which are for low- and moderate-income persons. No displacement of persons will be proposed. It is anticipated that the application will be submitted by September 30, 2012 and the project activities completed by December 31, 2014. All citizens, including those in the project area, are encouraged to attend the hearing to consider the potential impacts and benefits of the proposed project for Faradyne Motors LLC and to provide suggestions and comments about the proposed application.*

*The Town will provide information at the hearing to comply with the legislative and program requirements that govern the Small Cities Program. The Town Offices are in compliance with the accessibility standards set forth in the American's with Disabilities Act. Hearing disabled persons, or those with Limited English Proficiency who wish to attend should call (315) 597-5521 not less than 48 hours before the hearing to make arrangements for an interpreter, if needed. Written public comments will also be accepted.*

*Dated: August 23, 2012*

Second: Mike Lambrix

Vote: 5 Ayes. Carried.

**MTN:  
RESOLUTION  
#19-2012: APPROVE  
COMMUNITY  
DEVELOPMENT  
GRANT  
RESOLUTION**

- 10. **Approve: Installation of SonicWALL Network Security Appliance Upgrade:** So the Town can take advantage of savings by ordering before October First, Dave Nussbaumer made the motion to approve this purchase for the Server.

Second: Mike Lambrix

Vote: 5 Ayes. Carried.

**MTN: APPROVE  
INSTALL OF  
SONICWALL  
NETWORK  
SECURITY  
APPLIANCE  
UPGRADE**

- 11. **Resolution #25-2012: Modify Highway Department Roof Replacement Approval and Transfer of Funds:** The following resolution provides why additional funds are needed for this project, above the amount approved at the last Town Board meeting:

TRANSFER OF FUNDS FROM  
THE COMMON HIGHWAY FACILITIES RESERVE TO  
THE GENERAL FUND FOR ROOF REPAIR

*WHEREAS, the Town Board of the Town of Palmyra approved a quote for the repair of two roofs of the Palmyra Highway Department at the Town Board meeting of August 23, 2012, and*

*WHEREAS, an updated quote has been received by the Town of Palmyra for said repair work by JZ Construction of Penn Yan, New York, and*

*WHEREAS, JZ Construction proposes "to furnish all material and perform all labor necessary to complete the following: Install...new metal roofing with all trims and corners on two buildings known as salt storage and cold storage buildings at 131 Kent Street, Palmyra NY 14522.*

*"Any repairs to existing roof decks at extra cost.*

*"Breakdown of costs: salt storage building materials \$2400.00; labor at prevailing wage to be \$2280.00; cold storage building materials \$6800.00; and labor at prevailing wage rate \$2850.00. Total = \$14,330.00*

*"We propose to furnish material and labor, complete in accordance with above specifications, for the sum of \$14,330.00 Dollars.*

*"Payments to be made as follows: \$5,000 deposit for materials, \$9,330.00 at completion," and*

*WHEREAS, the Palmyra Superintendent of Highways, Michael Boesel, has signed the Acceptance of Proposal,*

*NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Palmyra authorizes the transfer of funds in the amount of \$14,330.00 from the Common Highway Facilities Reserve to the General Fund.*

*BE IT FURTHER RESOLVED, that the use of the funds is for replacement of the roofs as described above located at the Highway Department, with metal roofing.*

*BY ORDER OF THE TOWN BOARD*

*Dated: September 27, 2012*

**RESOLUTION  
#25-2012:  
MODIFY  
HIGHWAY  
DEPARTMENT  
ROOF  
REPLACEMENT  
APPROVAL AND  
TRANSFER OF  
FUNDS**

In order to comply with all code and prevailing wage concerns, a modified contract was necessary. Funds to pay for this project had to be transferred from the Common Highway Facilities Reserve fund to the General Fund, to pay for this roof repair. Jim Welch made the motion to modify the contract that had been Board approved in August.

MTN:  
RESOLUTION  
#25-2012:  
MODIFY  
HIGHWAY  
DEPARTMENT  
ROOF  
REPLACEMENT  
APPROVAL AND  
TRANSFER OF  
FUNDS

Second: Dave Nussbaumer A roll call vote was requested.  
Supervisor Kenneth Miller Aye  
Deputy Supervisor James Welch Aye  
Councilman David Nussbaumer Aye  
Councilman Michael Lambrix Aye  
Councilman Todd Pipitone Aye

Vote: 5 Ayes. Carried.

APPROVED

12. **Approve: Fill Vacant Highway Position:** At the June 28, 2012 Town Board meeting, the hire of Michael Woodard, for the position vacated by Tom Fraser, was proposed. The hiring was then put on hold until further notice. Jim Welch made the motion to approve the hiring of Michael Woodard to fill the vacant Highway position.

Second: Todd Pipitone Vote: 5 Ayes. Carried.

MTN: APPROVE  
HIRE OF  
MICHAEL  
WOODARD FOR  
HIGHWAY DEPT.

13. **Approve: Town Employees to Attend Seminar:** Dave Nussbaumer made the motion to approve up to 3 town employees to attend the Association of Towns' Fall Personnel & Ethics School on November 2, in Syracuse. Ken suggested having the Supervisor, Bookkeeper and Highway Superintendent attend. The cost would be \$75 per person plus mileage reimbursement.

Second: Todd Pipitone Vote: 5 Ayes. Carried.

MTN: TOWN  
EMPLOYEES TO  
ATTEND  
PERSONNEL &  
ETHICS SCHOOL

14. **Approve: "Conservation Tool Kit" Purchase:** Councilman Dave Nussbaumer made the motion to approve the purchase of 12 booklets titled "Conservation Tool Kit" not to exceed \$36. These will be made available to Town employees and counter sales at \$3 each.

Second: Jim Welch Vote: 5 Ayes. Carried.

MTN: APPROVE  
"CONSERVA-  
TION TOOL KIT"  
PURCHASE

15. **Approve: Purchase of Sheathing for Roof at Highway Department:** Approve up to an additional \$1500.00 on sheathing for roof repair on the red block building. Jim Welch made the motion to approve these funds, stating this does not require a transfer of funds, as did the other roof repair costs.

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

MTN: PURCHASE  
SHEATHING FOR  
ROOF AT  
HIGHWAY DEPT.

- 16. **Approve: Claims & Expenditures Shown in the Abstract of 8/23/2012 through 9/27/2012:** Councilman Dave Nussbaumer made the motion to approve the claims and expenditures shown in the Abstract of 8/23/2012 through 9/27/2012, including vouchers 182-278, with a grand total of \$147,785.84.

**MTN: APPROVE CLAIMS & EXPENDITURES IN ABSTRACT OF 8/23/2012 THROUGH 9/27/2012**

Second: Mike Lambrix

Vote: 5 Ayes. Carried.

- 17. **Motion to Adjourn:** At 8:25 p.m., Mike Lambrix made the motion to adjourn the meeting.

**MTN: ADJOURN MEETING**

Second: Dave Nussbaumer

Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

**RESOLUTION #18-2012: Proposed Local Law # of the Year 2012 (announcing the public hearing)**

**RESOLUTION #19-2012: Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c**

**RESOLUTION #20-2012: Resolution Setting Public Hearing for Community Development Block Grant Projects**

**RESOLUTION #23-2012: Schedule Public Hearing for 2013 Town Budget**

**RESOLUTION #24-2012: Schedule Public Hearing for Village of Palmyra Fire Protection District, East Palmyra Fire Protection District, and Port Gibson Fire Protection District**

**RESOLUTION #25-2012: Modify Highway Department Roof Replacement Approval and Transfer of Funds**

**ATTACHMENT A:**    ***Community Development Block Grant Handout***

**ATTACHMENT B:**    ***Current Status of Local Erie Canal Bridge Closings***

**ATTACHMENT C:**    ***Code Enforcement Follow-Up Memo of Nuisance Properties***

**NEXT TOWN BOARD MEETING  
AND PUBLIC HEARING:**

**THURSDAY, OCTOBER 25, 2012, 7:00 P.M.  
EAST PALMYRA FIRE HALL**