

**PUBLIC HEARING AND
REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
JANUARY 23, 2014**

At 7:02 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, January 23, 2014, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

He then announced that tonight a public hearing is being held to consider Resolution #5-2014:

RESOLUTION #5-2014
Proposed Local Override Law

Proposed Local Law No. 1 of the year 2014
Town of Palmyra, County of Wayne
A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c

PUBLIC HEARING

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 2015 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 2015 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,

**RESOLUTION
#5-2014:
PROPOSED
LOCAL
OVERRIDE LAW
FOR 2015
BUDGET**

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 23th day of January, 2014, at the meeting of the Palmyra Town Board.

BY ORDER OF THE PALMYRA TOWN BOARD

**RESOLUTION
#5-2014:
PROPOSED
LOCAL
OVERRIDE LAW
FOR 2015
BUDGET**

Discussion centered around why this local law is necessary to protect the Town when preparing next year's budget. If unexpected costs cause the tax percentage to rise above 2%, the Town could be penalized by the State for breaking this law. The law is an attempt to get municipalities to share more services. Palmyra has enjoyed shared services for years, but has not been credited for our diligence. The tax on properties is correlated to the assessment, but not tied to it. This local law protects the Town from this type of legal action. Palmyra resident Marc Carrier thanked the Board for doing a good job in keeping the tax levy low. By having to pass this law each year, the "Governor is not so much trying to make the State look good as he is trying to make us look bad," stated Supervisor Miller.

The public hearing ended at 7:09 p.m. with no further discussion and the Town Board meeting continued at 7:10 p.m.

Upon roll call, the following Board members were present:

Kenneth F. Miller, Supervisor

James Welch, Deputy Supervisor

Todd J. Pipitone, Councilman

Councilman Michael Lambrix entered at 7:15 p.m.

Councilman David Nussbaumer was absent

ROLL CALL

Also attending: Marc Carrier, Code Enforcement Officer Dan Wooden, Palmyra Highway Superintendent Mike Boesel, Gianna Green, Shyanne Schutt, Cody Roberts, Lyndsay Marie, Ronisha ?— (last name illegible).

ATTENDANCE

Motion was made by Todd Pipitone to approve the minutes of the December 26, 2013 Town Board meeting.

**MTN: APPROVE
MINUTES OF
12/26/2013**

Second: Jim Welch

Vote: 3 Ayes. Carried.

Motion was made by Todd Pipitone to approve the minutes of the annual Organizational Meeting on January 7, 2014.

Second: Jim Welch

Vote: 3 Ayes. Carried.

**MTN: APPROVE
MINUTES OF
1/07/2014**

PRESENTATION

At 7:12 p.m., Integrated Systems representative Dave O'Hare attended tonight to make a presentation about the status of the Town's PC server. With the server crashing twice recently, alternatives need to be addressed to avoid problems in the future. Supervisor Miller wants Board members to be aware of the options available to the Town. Dave mentioned our in-house server now has a temporary "bandaid" until a decision can be made. He made two proposals tonight: 1. replace the server (estimated at \$6,000), with IT availability from Integrated Systems if there are problems—at the going rate per hour; and 2. go to a remote server—with a fixed monthly charge. The current server is now in its fourth year, and considered "outdated, experiencing multiple drive and storage problems." He added the Town "doesn't have enough band width" and a replacement would need a wider band width, with Integrated Systems continuing to provide on-site service. Backups are the big user, and replacement costs several years from now are a reality.

**PRESENTATION
BY INTEGRATED
SYSTEMS
ABOUT TOWN'S
SERVER
PROBLEMS AND
SOLUTIONS**

His second proposal—a remote "host" server allows the Town to rent server space and pay a monthly fee of \$343.35 per month for a 3-year contract. At Integrated Systems in Victor, a huge server meets the needs of several municipalities. With their "technical staff looking at their servers every day, they monitor the health of all networks," added O'Hare. This means the Town wouldn't need to purchase hardware, as their server is up and available 365 days a year, all remote backups are included in the rental cost, their server is fully redundant to an off-site location, and this would mean a 30% reduction in usage to the Town. They will also apply the balance of our current pre-pay contract to the new contract. If there are any problems with their server, it is quickly diagnosed and "up and running" in a maximum of 20 minutes.

Ken Miller said the County's Time-Warner contract is up this year. Our usage is at the low end of "Business Class" for TW. Our PCs wouldn't be as high a load on them, since the server is a big user when it's backed up. Contracting with a remote service eliminates this local backup. After reviewing the options, Ken recommended the Town go to a host through Integrated Systems, at \$343.35 per

month for a three-year contract. The budgeted \$1200 cost of backup is eliminated, creating the 30% reduction in usage cost.

Councilman Todd Pipitone asked Dave if other municipalities use IS's remote services. Dave mentioned Geneseo and Perry offhand, adding there are about 25 other businesses using them currently.

Ken thanked Dave for his presentation and added the Board will consider both options and get back to him. At 7:25 p.m., the Board meeting reconvened.

COMMUNICATIONS

1. **Lozier Environmental Consulting Correspondence:** Ken Miller received details of an Indoor Air quality Inspection and Assessment for various areas of Town Hall. This was triggered by the clerk in the Assessor's office in December, concerned about an odor from the heat duct permeating the office. Lozier Environmental Consulting was contacted to do an Indoor Air Quality Inspection and this correspondence of January 8, 2014 suggests: possible excavation of some soil around the ducts to inspect for current condition, if in poor condition they may need replacing, if ducts are intact internal duct cleaning may be needed, as well as removing dirt in crawl space where duct is, and having the ducts "inspected/cleaned by professional HVAC personnel. To summarize, they state,"the indoor mold spore concentrations within the building are considered low and acceptable by existing indoor air quality standards. The types of mold detected and the low levels of airborne spores present are not indicative of a serious mold problem; however, the strong odors are considered a nuisance."

Ken added while there is "nothing of concern" at the moment, he hired Brad Jacobs to lay plastic down between the soil and the ductwork, and added it has been completed, making "test results well within tolerable amounts."

2. **Tioga County Economic Development Communication:** With the passage, by referendum on 11/5/13, of the Upstate New York Gambling and Economic Development Act, casino gambling will be allowed in New York State. The Tioga County Economic Development and Planning Commission requests letters of support from surrounding municipal boards and from individuals and other groups.

**PRESENTATION
BY INTEGRATED
SYSTEMS
ABOUT TOWN'S
SERVER
PROBLEMS AND
SOLUTIONS**

**ENVIRONMEN-
TAL PROBLEMS
IN SOUTH END
OF TOWN HALL
AIR STUDIES
AND RECOM-
MENDATIONS**

**TIOGA COUNTY
ECONOMIC
DEVELOPMENT
& PLANNING
COMMISSION
REQUEST FOR
BOARD
SUPPORT OF
CASINO IN THEIR
AREA**

Ken Miller says he chooses to pass on this at this time, but that the Board can look over the information and revisit it if they wish to do so.

REPORTS OF STANDING COMMITTEES

Supervision—Animal Control, Historian, Finance:

Kenneth Miller, Chairman

Attendance at Seminar at Minnowbrook: As in years past, Supervisor Miller requests Town Board approval at the three-day seminar on April 22-24, 2014 for municipal leaders. To approve this request tonight means he can take advantage of a package discount if reservation & payment are received before February 1.

**REQUEST BY
SUPERVISOR TO
APPROVE HIS
ATTENDANCE
AT MUNICIPAL
SEMINAR**

Human Services—Town Clerk, Archives, Justices:

Michael Lambrix, Chairman

1. **Town Clerk's Office Report for January:**

- *Lynne and Irene: Closing out 2013 and getting things ready for 2014 was our top priority this month. At the same time, we started collecting Town and County taxes. Thanks to Irene to sort through the tax bills, to send to the correct addresses. Thanks, Joan for helping when we receive large stacks of tax payments.*
- *Lynne: We received the insurance information for the Snow and Ice Contract with Wayne County. It was sent to Lyons, signed, and sent back to us for filing. In addition, the Highway's annual Agreement to Spend Town Highway funds was approved, signed, and sent to the County.*
- *Lynne: Preparing for two meetings in January, and writing up two meetings' worth of minutes has taken up most of the office time. It usually takes about a day's work to put the Board packets together.*
- *Irene: All four Petty Cash drawers balanced to the penny. The memo is with this monthly report—per Board request. Balanced clerk's checkbook, all year-end bank statements. An audit check list (from the NYS Comptroller's office) is available if board members would like to utilize it for their audit.*
- *Irene: Taxes: January is busy collecting Town/County taxes (several deposits daily), along with closing out and balancing the 2013 banking. So far, of the 3,054 tax bills sent, I entered 894 tax bill payments (and mailed out their receipts) for over \$1,264,208. Next week, in our office, we expect another 1,200 tax bills and approx. \$2.0 million to the total. Palmyra collect*

**TOWN CLERK'S
OFFICE
REPORT
FOR JANUARY**

**TOWN CLERK'S
OFFICE
REPORT
FOR JANUARY**

\$4,872,458.21 total for the county when we are done in March, and the Town Supervisor gets \$1,924,684.93 in tax levy checks.

- *Irene: Dog Licensing: 115 dog renewals for January and late renewal postcards sent. So far, we've licensed and collected 74 dogs (\$640).*
- *Irene: The new DECALS program (hunting, fishing, etc) is up and running...sort of. We are one of very few locations in NYS that are able to issue licenses as the program does not always work. We are further along than other towns because Deb from Integrated Systems looked (remotely) at our dedicated computer, and the new program, while checking other issues. The help line from NYS admits, "we are doing this on the fly!" about the new DEC system.*
- *Celeste: On 1/14/2014 all files on my desktop "vanished". While some current project files were not backed up, the older files were backed up previously, to the F Drive. I was able to recover some of the files, but many are not readable. I am waiting for Integrated Systems to assist me in recovery. I estimate 1 - 2 weeks (based on 17 hrs week) to restore or recreate. An impact statement is attached.*
- *Celeste: APPLICATION XTENDER Digitization and Scanning Project: Continued to identify and complete Word to PDF to OCR file conversion of existing vital records within Application Xtender and Town Clerk's Electronic files. Birth and Death records through 2012 completed. Server issues affected access to Application Xtender. Marriage records and Minutes to completed March 2014.*
- *Celeste: RECORDS CONVERSION STATUS: (Prep for Waferfiche)*
- *Celeste: Scanned and OCR: (2009 to current) In progress: Death - Village & Town: Birth - Marriage - completed. Burial - Date will be based on when new server is installed. Once completed, Biel's required to dial in and re-load Application Xtender. Records for NanoArk submitted first quarter of 2014.*
- *Celeste: ARCHIVES: Records that have reached their retention schedule time limit are set for destruction in March.*
- *Celeste: OFFICE GENERAL: --Prepared monthly cashbook report for December. --Prepared annual cashbook report for 2013. --Submitted annual racing and wagering report to Racing & Wagering in Albany. --Processed (3) gaming licenses: Games of Chance (Women's Moose), Games of Chance (VFW), Games of Chance (Moose). --Updated Contracts & Agreements files and log.*

**STATEMENT OF
RECONCILIATION
OF TOWN
CLERK'S PETTY
CASH FUNDS**

ATTACHMENT A

2. **Reconciling of All Town Clerk Funds**: Following up on the Town Board's request for statement from the Town Clerk's office that all cash drawers be counted and reconciled at the beginning of each year, a statement was prepared and signed by the Town Clerk and the Deputy Town Clerk, stating that all drawers have the amount of \$100 before transactions. It is attached to these minutes as Attachment A.

As a point of information, all Town Clerk's cash drawers are counted at the end of each business day to make sure there is \$100 in cash for the next day.

3. **New Procedure in Town Clerk's Office:** Mike Lambrix, the new Board liaison to the Town Clerk's office, stated the office must be run like a business and wants a work schedule made up to coincide with the amount of revenue coming in to the Town. He wants a policy written up concerning backing up of work done on the PCs, so there is no time lost in recovering information, "with the determination not to go over budget."

**NEW
PROCEDURE IN
TOWN CLERK'S
OFFICE**

**Public Works—Highway Department, Equipment, Facilities:
James Welch, Chairman**

1. **January Highway Report:** Superintendent Mike Boesel submitted the following report from December 26, 2013 to January 23, 2014:

Since the 12/26/13 meeting we have completed the following work:

- *Plowing/Sanding –To date this winter season we have made a total of 60 trips out of the barn.*

A comparison to this point of the past 4 winter seasons is below:

January 2013 - 32 trips.

January 2012 - 22 trips.

January 2011 - 74 trips.

January 2010 - 59 trips.

- *Hauling Sand - We re-stocked our sand mix barn*

**HIGHWAY
DEPARTMENT
REPORT
FOR JANUARY**

Other miscellaneous items include:

- **Salt Orders** – *To date this winter season we have ordered approximately 1500 tons of our 2800 ton allotment, which approximately 65% of our requested allotment.*
- **Frozen Trucks** – *The extremely cold temperatures coupled with the cold storage of our truck fleet continue to cause us issues. Over the past 2 weeks we continue to have trucks and their loads freeze-up. The trucks have block heaters that keep the engine block warm overnight, but all other systems (electrical, hydraulic, air systems, etc.) on the trucks are subject to extreme temperatures. We start these trucks at 330am so they can be warmed up before the crew arrives. The air systems seem to be*

most sensitive to these temperatures and sometimes re-freeze after we leave the barn unlike motor oil or hydraulic oil systems. Also the dump bodies are so cold that material freezes to the inside of the body and doesn't come out unless its chiseled out by hand. We are extremely limited in our daily visual pre-post/trip truck inspections with all the ice and snow on them everyday. We are also very limited in cleaning or washing the trucks due to the temperatures. The long range forecast looks for more of the same weather. I would like to continue discussions with the Board about a heated truck barn in the future.

- **Equipment Maintenance** – We continue to perform routine maintenance on all trucks and equipment. We recently performed an annual service to our shop air compressor, waste oil furnace, hoist, small roller and plan to bring in other 'summer' equipment over the next month.
- **Advocacy Day Approval - CHIPs Funding** – Our annual Advocacy Day in Albany on Wednesday March 5th. This funding is critical to keeping our roads in good condition. Last year over 600 highway superintendents and vendors attended and we were successful in getting a 75 million dollar increase in our funding. A majority of Superintendents from Wayne County are planning to attend again this year.
- **Bobcat & Loader Purchase Approvals** - I am asking permission to place the orders for our new 2014 Bobcat S650 and our new 2014 CAT 950K loader. These are budgeted purchases for 2014. The new Bobcat machine will cost NTE, \$35,151.36, from DJM Equipment utilizing NYS OGS Contract and the new Caterpillar loader will cost NTE, \$199,840.00, from MiltonCAT also utilizing NYS OGS Contract.
- **Palmyra Municipal Auction** – The date has been set for Saturday May 10, 2014. I hope to have the Auction Contract on the February or March agenda for approval.
- **Generator Grant** – On 12/6/13, I received a request for additional information regarding our generator grant submittal. On 12/17/13 I submitted the requested information and we are still in a waiting period.
I did inquire about a generator that the Village of Lyons may declare surplus and will keep you posted.
- **Village Budget** – Its budget season in the Village and I have my first budget meeting on Tuesday 2/4/13.

2. **Upcoming Advocacy Day in Albany:** Each year, Highway Superintendents around the state meet in Albany for a day speaking with legislators on behalf of the Highway departments of NYS Towns and Counties. Mike stated the days of March 3-4 are when he plans to be in Albany, and asked the Board to approve his attendance, not to exceed \$71 for accommodations, as he plans to share the cost with the Walworth Highway Superintendent.

HIGHWAY
DEPARTMENT
REPORT
FOR JANUARY

REQUEST FOR
APPROVAL TO
ATTEND
ADVOCACY DAY

- 3. **Equipment Purchases:** Last month, Board members approved resolutions to purchase Highway equipment, using the "piggy-back" approach to secure the best price. This allows more than one municipality to purchase equipment as a package. Tonight, Mike is proposing the purchase of a 2014 Bobcat Skidsteer, not to exceed \$35,151.36, as well as a 2014 Loader, not to exceed \$199,840.

**HIGHWAY
DEPARTMENT
EQUIPMENT
PURCHASES
REQUEST**

**Economic Development/Planning—IT, Strategic Plans:
Todd Pipitone, Chairman**

- 1. **IT Infrastructure Inventory/Survey:** Todd Pipitone sent an email to Town department heads and Board members requesting the following inventory/survey be compiled:

I would like to undertake a formal IT Infrastructure Inventory and I need your help to do it. As heads of the various departments in the Town, I am asking that you work with your employees to determine the answers to the following questions and provide a comprehensive report back to me by no later than Friday, February 21, 2014.

- 1. *Please list all of the current computer equipment being used in your office, with approximate age (including peripherals like keyboards, mice, etc.)*
- 2. *For all computers in your office, please list the operating system and the version of the Microsoft Office suite being used*
- 3. *For all computers in your office, please list job-related software being used, date of most recent update, and cost of software maintenance (if applicable)*
- 4. *Please list all of the current electronic and/or digital equipment being used in your office, with approximate age (example: camera used by Assessor)*
- 5. *Please list all fax machines, scanners, and copiers being used in your office, with the approximate date of the machine*
- 6. *Please list how many telephones are in your office*
- 7. *Please include any IT item that may not have been covered in the previous sections (Please include approximate age)*

**IT INFRA-
STRUCTURE
INVENTORY/
SURVEY
REQUEST OF ALL
DEPARTMENTS**

- 2. **Informational Item: School, Town, Village Cooperation:** Todd made the suggestion to consider getting representatives from the school, village and town together to meet and revisit the Master (Comprehensive) Plan, in addition to any other common issues that may come up.

**CALL FOR
MEETING WITH
OTHER LOCAL
MUNICIPALITIES
TO REVISIT
MASTER PLAN**

Government Operations—Assessor, Youth and Aging, Code Enforcement, Fire Protection Contracts:
David Nussbaumer, Chairman

1. **Assessor's Office Report for January:** Assessor Elaine Herman submitted the following report:

JANUARY 23, 2014

All exemption renewal applications for the senior citizens, agricultural, clergy, low income disabled and not-for-profit organizations have been sent out and are now being returned to us for the March 1st deadline. That is a about 275 applications that had to be mailed out by Jan. 1, 2014.

We are still getting questions relating to the Basic STAR renewal being conducted by the State. The latest thing is the State is making telephone calls to those who have not yet reapplied. I received a list of unregistered owners the first part of December. Joan sent out a letter to all those on the list that that we knew had not sold their property. The list contained 256 names and we sent out 228 letters. I pulled up a list of the percentage of people in Wayne County that had registered as of January 15, 2014, and 90% of the residents have reapplied, 95% of the residents in Palmyra have reapplied, the highest percentage in the County and up from 83% that was reported to me in December. I would like to think that all the mailings we have done to those residents who had not applied along with all the mailings from the State paid off. I also e-mailed the State and they sent me a list of the 73 residents who have not yet reapplied. Joan went through the list and 36 of the names were of residents who have either sold their homes or moved away or have applied for the first time this year for the Senior STAR. The remaining 37 residents were still unregistered as of that date. Attached is a copy of the percentages for all Wayne County towns, both from December and January.

Also this month, I had a meeting with all the attorneys involved with the Bamberger litigation. All twenty properties involved in the action were reviewed. After the meeting, I reviewed all the assessments again and made some recommended changes that were to be submitted to Bamberger's attorney and shared with the judge involved in the case in a phone conference being held later that week. I have not heard the results, if any, of that phone conference.

Attached to this report is my current Continuing Education Status Report I received for the State. I have taken the required Ethics class required for recertification when I was reappointed for the next 6 year term and one other class. I still need to get one more class for the current year. I am also allowed to get 12 credits that will satisfy the next year's education requirements. I will keep an eye out for classes I think would be of the most benefit for me and the Town.

**ASSESSOR'S
OFFICE
REPORT
FOR JANUARY**

Attached to the Assessor’s January report is a Continuing Education Status Report dated 12/31/2013, detailing the courses the Assessor has taken since 1989, Also attached are sheets showing that 95% of qualified Palmyra Senior residents have signed up for a renewal of their Expanded (Senior) STAR exemption, and that 83% of non-Seniors have signed up for their Basic STAR exemption renewal.

**ATTACHMENTS TO REPORT—
CURRENT EDUCATION STATUS REPORT & STAR EXEMPTIONS**

- 2. **Code Enforcement/Zoning Office Report for January:** Code Enforcement Officer Dan Wooden provided Board members the list of building permits and certificates of compliance activities for Jan. 1-23, 2014, with the notation that these numbers are greater than last year’s at this time, and that last year’s January numbers were greater than those in January 2012.

CODE ENFORCEMENT/ZONING OFFICE REPORT FOR JANUARY

- 3. **Zoning Board of Appeals and Planning Board Meetings:** There were no meetings of either Board during January.

NO ZONING NOR PLANNING BOARD MEETINGS IN JANUARY

- 4. **Update of Abandoned Property on Tellier Road:** While checking around to find status of owner, it was found that the property had been bought sight-unseen by the owner, and when he couldn’t do anything with it, he had been told to “walk away” from the property. Dan said he contacted the County to start the legal paperwork, and now awaits their reply.

UPDATE OF ABANDONED PROPERTY ON TELLIER ROAD

INFORMATIONAL ITEMS

- 1. **NYS Department of Health Paperwork:** The Community Health Services of the NYS Department of Health in Geneva sent the Town a form to fill out stating that Palmyra has officially appointed Dr. Malcolm Riggs as Town Health Officer through December 2017. It was returned to Geneva Jan. 16.

DR. RIGGS IS TOWN HEALTH OFFICER THROUGH 2017

- 2. **Indoor Air Quality:** Lang Heating and Cooling, Inc. provided a flyer titled “Duct Cleaning Could Be the Healthiest Home Improvement Investment You Will Ever Make.” Ken asked that copies be available to Board members.

DUCT CLEANING BROCHURE TO BOARD

WAYNE COUNTY
LAW
ENFORCEMENT
OFFICERS
WORK
TOGETHER ON
SUPER BOWL
WEEKEND

- 3. **Super Bowl DWI Crackdown:** Wayne County Sheriff Virts issued a press release stating his department will conduct a law enforcement initiative titled "STOP-DWI Crackdown for Super Bowl Weekend Campaign" on January 31 through February 3. A locally-driven program with all Wayne County law enforcement agencies working together, Virts expects to reduce the occurrence of DWI. The next crackdown will be around St. Patrick's Day.

ENERGY
WORKSHOP AT
TOWN HALL
FEBRUARY 12

- 4. **Energy Workshop at Town Hall:** A free workshop on Wednesday evening, February 12, at 7 p.m., will be held at the Palmyra Town Hall. Sponsored by the Cornell Cooperative Extension of Wayne County, flyers were distributed to Board members and they were encouraged to attend.

FLCC 2013
ANNUAL
REPORT
INFORMATION

- 5. **Finger Lakes Community College 2013 Annual Report:** Flyers of FLCC's facts and figures for 2013 were distributed to the Board. Wayne County taxpayers help to foot part of the bill for the county's students who attend FLCC, so Ken thought the Board would be interested in the Annual Report.

PUBLIC INPUT

- 6. **Public Input:** Although we had quite a few residents attend tonight's meeting, there was no public input at this time.

AGENDA ITEMS

AGREEMENT
BETWEEN
TOWN, VILLAGE
AND PALMYRA
COMMUNITY
CENTER FOR
2014

AGREEMENT: TOWN OF PALMYRA, VILLAGE OF PALMYRA & PALMYRA COMMUNITY CENTER, INC.

JANUARY 1, 2014 - DECEMBER 31, 2014

AGREEMENT made this 23rd day of January, 2014, between and among the TOWN OF PALMYRA, a municipal corporation, hereinafter referred to as the "Town", the VILLAGE OF PALMYRA, a municipal corporation, hereinafter referred to as the "Village", and the PALMYRA COMMUNITY CENTER, INC., a not-for-profit corporation, hereinafter referred to as the

"Community Center", all with offices located in Palmyra, Wayne County, New York.

WITNESSETH:

WHEREAS, the Community Center is a not-for-profit corporation formed to create, administer, and underwrite a youth and recreational program for the residents of the Town and Village of Palmyra; and

WHEREAS, the Community Center needs support for its program, not only from private and charitable sources, but from the municipalities; and

WHEREAS, the programs operated by the Community Center are carried out in such a manner that they conform to the standard established by the State of New York and the Federal Government so that the supporting municipalities may receive total or partial reimbursement from the State or Federal Government for funds of the municipality expended in support of the program; and

WHEREAS, pursuant to the applicable statutes, when two or more municipalities participate in a youth or recreational program, one of the municipalities must act as the fiscal disbursing agency; and

WHEREAS, the Village also supports the Community Center programs; and

WHEREAS, the Town supports the Community Center programs; and

WHEREAS, the Village has, in the past, and does hereby agree to act as the fiscal disbursing agency for the purpose of disbursing those funds which the Town and Village provide to support the Community Center program,

NOW, THEREFORE, in consideration of the premises and covenants contained herein, it is mutually agreed as follows:

- 1. The Community Center shall create, administer and underwrite with financial assistance from the Village and the Town, a youth and recreational program for all the residents of the Village and Town of Palmyra for the calendar year ending December 31, 2014. Except as stated herein, the Community Center shall not receive additional funds from the Village and Town.*
- 2. The Community Center, upon receipt of the funds hereinafter described, agrees to conduct a youth and recreational program in accordance with the program outlined to the Town and Village at the Budget Meeting held in the Fall of 2014 for the purpose of establishing the amount of support needed from the Town and the Village for the Community Center in the year 2014 and as said program has been increased and enhanced to the date of this Agreement. The Community Center Board of Directors agree in calendar year 2014 to provide recreational sites, equipment and fixtures necessary to carry on the programs of the Community Center. The Board of Directors shall also appoint a director to implement and supervise all of the*

**AGREEMENT
BETWEEN
TOWN, VILLAGE
AND PALMYRA
COMMUNITY
CENTER FOR
2014**

activities of the Community Center. The Community Center shall be protected by the liability insurance secured by the Village of Palmyra and the Town of Palmyra will be endorsed thereon. The Community Center agrees that the program will be operated through December 31, 2014 with reasonable rules and regulations. The Community Center agrees that all residents of the Town and the Village will be admitted to said programs to the extent of the designed capacity and upon the condition that they have and will in the future obey the reasonable rules and regulations established by the Community Center and it agrees that the rules and regulations will conform to all State and Federal requirements, and that the Community Center will comply with all applicable laws, rules and regulations to maintain its not-for-profit status and when funded, the eligibility requirements necessary for the municipalities to receive the maximal reimbursement allowed by the State and Federal governments for the type of program which the Community Center agreed to operate for the calendar year 2014.

**AGREEMENT
BETWEEN
TOWN, VILLAGE
AND PALMYRA
COMMUNITY
CENTER FOR
2014**

3. *In the event that the Community Center shall fail to complete its obligations or breach said obligations, then in that event, the contributions of the Town and Village shall be terminated and the Town and Village shall not be obligated to make any further payments for or on behalf of the Community Center as of the date of termination. In the event that the Town and Village have prepaid its funds in whole or in part, then so much of said funds that have been unearned for each full month shall be repaid by the Community Center to the Village. (For the purpose of computing this amount, the total contribution of the Town and Village shall be divided by 12 and each 1/12 shall equal one month. If 3 months remain when the Town and Village terminates, then 3/12 of the Town and Village payment provided for herein shall be returned.)*
4. *In addition to all of the other obligations contained herein, the Community Center shall render a report not less often than annually or at such other times as the Town and Village shall request as to the programs conducted, the supervision, the hours of attendance, the number attending and such other items as the Town and Village may request from time to time. With each annual report, the Community Center shall file a list of the current officers of the Board of Directors.*
5. *The Town shall pay to the Village for the calendar year 2014, the sum of THIRTY FIVE THOUSAND EIGHT HUNDRED TWENTY-THREE DOLLARS (\$35,823.00). In the event that any portion of this Agreement shall be deemed to be not valid and binding, then only that portion of this Agreement shall fail and not the balance of this Agreement. Said amount shall be paid in equal, quarterly installments*

on or before the 30th day of March, June, September and December in the year 2014, subject to the terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

Agreement to be signed by the Town Supervisor, Village Mayor, and Director of the Palmyra Community Center, with an original to each.

Second: Todd Pipitone

Vote: 4 Ayes. Carried.

MTN: APPROVE AGREEMENT BETWEEN TOWN, VILLAGE AND PALMYRA COMMUNITY CENTER FOR 2014

- 2. **Approve Resolution #5-2014: Proposed Local Law No. 1—Override Tax Levy Limit for 2015:** Although the past several years of tax increases have been below the 2% threshold, in order to protect the Town from any unforeseen expenses that may exceed the State-imposed limit, the Town deems it necessary to allow the 2015 budget to exceed the allowable percentage. Asking for a roll call vote, Todd Pipitone made the motion to approve Local Law No. 1:

RESOLUTION #5-2014
Proposed Local Override Law

Proposed Local Law No. 1 of the year 2014
Town of Palmyra, County of Wayne

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

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 2015 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 2015 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

RESOLUTION #5-2014—LOCAL LAW No. 1— OVERRIDE TAX LEVY LIMIT FOR 2015

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.

**MTN: APPROVE
RESOLUTION
#5-2014—LOCAL
LAW No. 1—
OVERRIDE TAX
LEVY LIMIT FOR
2015**

Second: Mike Lambrix	Vote: 4 Ayes. Carried.
Kenneth F. Miller, Supervisor	Aye
James Welch, Deputy Supervisor	Aye
Todd J. Pipitone, Councilman	Aye
Michael Lambrix, Councilman	Aye
David Nussbaumer, Councilman	Absent

- 3. **Approve Resolution #6-2014: Official Undertaking of Municipal Officers:** Each year, those Town officers and appointees who handle money are named and asked to sign the following resolution:

RESOLUTION #6-2014

TOWN OF PALMYRA
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, Kenneth F. Miller, of the Town of Palmyra, County of Wayne, New York, has been elected to the Office of Supervisor of the Town of Palmyra, and

WHEREAS, Petra I. Anderson, of the Town of Palmyra, County of Wayne, New York, has been appointed to the Office of Bookkeeper of the Town of Palmyra, and

WHEREAS, Lyndall Ann P. Green, of the Town of Palmyra, County of Wayne, New York, has been elected to the Office of Town Clerk of the Town of Palmyra, and

WHEREAS, Irene E. Unterborn, of the Town of Palmyra, County of Wayne, New York, has been appointed to the Office of Town Tax Collector of the Town of Palmyra, and

WHEREAS, William E. Abbott and Terry C. Rodman, of the Town of Palmyra, County of Wayne, New York, have been elected to the Office of Town Justice of the Town of Palmyra, and

**MTN: APPROVE
RESOLUTION
#6-2014—
OFFICIAL
UNDERTAKING
OF MUNICIPAL
OFFICERS**

WHEREAS, Patricia O. Peterson, of the Town of Palmyra, County of Wayne, New York, has been appointed to the Office of Court Clerk of the Town of Palmyra, and

WHEREAS, Gary A. Rose, of the Town of Palmyra, County of Wayne, New York, has been appointed as Animal Control Officer, Constable and Rabies Responder for the Town of Palmyra, and

WHEREAS, Michael E. Boesel, of the Town of Palmyra, County of Wayne, New York, has been elected to the Office of Superintendent of Highways of the Town of Palmyra, and

NOW, THEREFORE, we, as respective officers and appointees above, do hereby undertake with the Town of Palmyra that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer or appointee, in accordance with the law; and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

This undertaking of the Bookkeeper is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Bookkeeper; and

This undertaking of the Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk; and

This undertaking of the Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector; and

This undertaking of the Town Justices is further conditioned that they will well and truly keep, pay over and account for all moneys and property coming into their hands as such Town Justices; and

This undertaking of the Court Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Court Clerk; and

The Town does and shall maintain insurance coverage, presently with National Grange Insurance Company, in the sum of \$500,000 for the Tax Collector, Supervisor and Town Clerk to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all moneys or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

Dated: January 23, 2014

Town of Palmyra

**MTN: APPROVE
RESOLUTION #6-
2014—OFFICIAL
UNDERTAKING
OF MUNICIPAL
OFFICERS**

MTN: APPROVE RESOLUTION #6-2014—OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

Councilman Todd Pipitone made the motion to approve Resolution #6-2014—Official Undertaking of Officers.

Second: Mike Lambrix Vote: 4 Ayes. Carried.

- 4. **Approve Attendance at "Annual Advocacy Day" for Highway Superintendents:** Mike Boesel requests approval for hotel accommodations in Albany, sharing a room with Walworth Highway Superintendent Frederes, at a cost not to exceed \$71.00. Jim Welch made the motion to approve Mike's hotel cost not to exceed \$71.

Second: Todd Pipitone Vote: 4 Ayes. Carried.

Todd Pipitone made the request of Mike Boesel that he include in next month's Highway Report what he learns at Albany, talking points, etc.

MTN: APPROVE HIGHWAY SUPERINTENDENT'S ATTENDANCE AT ADVOCACY DAY IN ALBANY

- 5. **Approve Equipment Purchase: 2014 Bobcat S650 Skidsteer:** With Mike Boesel noting this was budgeted from NYS contract pricing, Jim Welch made the motion to approve this purchase, not to exceed \$35,151.36.

Second: Todd Pipitone Vote: 4 Ayes. Carried.

MTN: APPROVE EQUIPMENT PURCHASE—2014 BOBCAT S650 SKIDSTEER

- 6. **Approve Equipment Purchase: 2014 Caterpillar Loader:** Mike Boesel's request for approval included reassurance to the Board that the trade-in value of our current loader is \$120,000. Jim Welch made the motion to approve this purchase, not to exceed \$199,840, from MiltonCat. A roll call vote was requested.

Second: Todd Pipitone	Vote: 4 Ayes. Carried.
Kenneth F. Miller, Supervisor	Aye
James Welch, Deputy Supervisor	Aye
Todd J. Pipitone, Councilman	Aye
Michael Lambrix, Councilman	Aye
David Nussbaumer, Councilman	Absent

MTN: APPROVE EQUIPMENT PURCHASE—2014 CATERPILLAR LOADER

- 7. **Approve Proposal for Complete Cleaning of Palmyra Town Hall's Duct System:** With furnace filters full of dust and dirt, and a complete cleaning of the duct system requested, Lang Heating & Cooling, Inc. submitted a proposal

to get the work done, with a of quote \$995. This should alleviate problems in the offices, especially in the winter. Todd Pipitone made the motion to approve Lang Heating and Cooling’s proposal of \$995.00 for the duct job at Town Hall.

Second: Jim Welch

Vote: 4 Ayes. Carried.

MTN: APPROVE PROPOSAL FOR CLEANING OF TOWN HALL’S FURNACE DUCT SYSTEM

8. **Approve Pitney-Bowes Agreement for 3-Year Postage Meter Rental:** The current contract with Pitney-Bowes for the Town’s postage meter was up for renewal or replacement this year. After meeting with the representative to negotiate a contract, the Town was able to agree on a 3-year rental of a new postage meter with an Autoloader feature at a lower cost per month than our present meter. Ken also is looking into centralizing our supplies in the future, including postage. Mike Lambrix made the motion to approve the new 3-year rental agreement with Pitney-Bowes.

Second: Jim Welch

Vote: 4 Ayes. Carried.

MTN: APPROVE PITNEY-BOWES AGREEMENT FOR 3-YEAR POSTAGE METER RENTAL

9. **Approve Supervisor Miller to Attend “Smart Management for Small Communities” Conference:** As in previous years, Ken is seeking Board approval for attending the seminar at Minnowbrook Conference Center at Blue Mountain Lake in the Adirondacks. If he is approved this evening, he can get a discount on the cost of the conference. Todd Pipitone made the motion to approve Ken’s attendance at the conference, not to exceed \$180, plus mileage if he cannot secure the Town’s truck, for travel. He also requests a report back to the Board from Ken after the conference.

Second: Jim Welch

Vote: 3 Ayes. Carried.
Ken Miller abstained from voting.

MTN: APPROVE SUPERVISOR’S ATTENDANCE AT CONFERENCE

10. **Approve Time-Warner Contract for Town Phone Lines:** Currently, at Town Hall, there are 8 telephone lines + 3 fax lines, Justice has 2 lines billed to the Town, and Highway has 2 phone lines and 1 fax line. These are billed at \$29.99 per line per month. Ken is proposing a reduction of 5 lines: 2 from the clerk’s office, one from the Code office; keeping a Village phone line in the Justice office + 1 town fax line—eliminating 1 phone line at the Village Hall; and eliminating 1 phone line from Highway. The cost savings are estimated at \$1,779/year.

TIME-WARNER CONTRACT FOR TOWN PHONE LINES

In addition, if the Town goes to a remote server, we would qualify for Business Class voice mail from Time-Warner. In summary, Ken proposes 16 lines be reduced to 11 lines, that can handle the upgrade to a remote server, and includes business class voice mail. Todd Pipitone made the motion to authorize Ken to sign the contract with Time-Warner.

MTN: APPROVE TIME-WARNER CONTRACT FOR TOWN PHONE LINES

Second: Mike Lambrix Vote: 4 Ayes. Carried.

Jim Welch thanked Ken for doing "good homework" on these different options and savings.

- 11. **Approve Proposal from Integrated Systems:** Following the presentation by Dave O'Hare, Todd Pipitone made the motion to approve Integrated Systems' proposal of a 3-year contract, at a cost of \$343.35/month, to include providing remote server access—calling it a "hosted service" solution, eliminating the cost of in-house server backup, reducing cost to service and manage the server, eliminating the cost of purchasing a new server at about \$6,000, enjoying round-the-clock service with little or very quick down time, if any.

MTN: APPROVE PROPOSAL FROM INTEGRATED SYSTEMS FOR REMOTE PC SERVER WITH MONTHLY COST WITH ACCESS & ASSOCIATED SERVICES

Second: Mike Lambrix Vote: 4 Ayes. Carried.

Todd Pipitone asked if our current server has any resale value if it were cleaned and sold at auction. No answer was offered.

- 12. **Approve the Statement "Reconciling Town Clerk Funds"** At the request of the Town Board, a statement was prepared saying that at the beginning of 2014, all the Petty Cash drawers—for Town receipts, for water payments, for school tax payments, for town/county tax payments, as well as the "revolving petty cash" account for miscellaneous small sales (batteries, certified mail, etc.)—balance to the penny. The Statement was signed by the Town Clerk and Deputy Town Clerk. Motion was made by Mike Lambrix to approve the statement "Reconciling Town Clerk Funds." See Attachment A

MTN: APPROVE STATEMENT "RECONCILING TOWN CLERK FUNDS" FOR 2014

ATTACHMENT A

Second: Todd Pipitone Vote: 4 Ayes. Carried.

- 13. **Claims and Expenditures:** Mike Lambrix made the motion to approve claims and expenditures of Vouchers #JAN 2014-1 through #JAN 2014-6 and 1968 through #2074, included in the Abstract of January 2014, totaling \$132,102.27.

MTN: APPROVE CLAIMS & EXPENDITURES FOR JANUARY 2014

Second: Todd Pipitone Vote: 4 Ayes. Carried.

ANNOUNCEMENT

Just before the meeting ended, Town Clerk Lynne Green made the announcement that she plans to retire as of April 25, 2014. She added that this was made public tonight so the Town could have time to interview and hire a replacement, assuming that the Deputy Town Clerk would be appointed to the Town Clerk’s position and a Deputy vacancy would need to be filled. Ken Miller then asked Town Clerk Green to submit a Letter of Intent that can be approved at the next Town Board meeting, so the formal hiring process can begin.

ANNOUNCEMENT BY TOWN CLERK LYNNE GREEN OF PLANS TO RETIRE ON APRIL 25, 2014

14. **Enter Executive Session:** At 8:25 p.m., Jim Welch made the motion to enter Executive Session to discuss matters of personnel.

MTN: ENTER EXECUTIVE SESSION

Second: Mike Lambrix Vote: 4 Ayes. Carried.

Exit Executive Session: At 8:32 p.m., Mike Lambrix made the motion to exit Executive Session.

MTN: EXIT EXECUTIVE SESSION

Second: Todd Pipitone Vote: 4 Ayes. Carried.

15. **Motion to Adjourn:** At 8:33 p.m., Jim Welch made the motion to adjourn the meeting.

MTN: ADJOURN MEETING

Second: Mike Lambrix Vote: 4 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

ATTACHMENT A: RECONCILING TOWN CLERK’S FUNDS AT THE START OF 2014

**NEXT TOWN BOARD MEETING:
THURSDAY, FEBRUARY 27, 2014, 7:00 P.M.
PALMYRA TOWN HALL**