

**REGULAR MEETING OF THE TOWN BOARD**

**PALMYRA TOWN HALL  
JUNE 24, 2010**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, June 24, 2010, 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 TO THE FLAG**

Upon roll call, the following board members were present:

Kenneth F. Miller, Supervisor  
James Welch, Councilman  
Todd J. Pipitone, Councilman

**ROLL CALL**

Councilman Michael Lambrix was excused  
Councilman David Nussbaumer was excused

Also attending the meeting: *Wayne Post* reporter Billie Rae Walker and Dan Sanford, from Paychex Human Resource Department.

**MEETING ATTENDANCE**

Motion was made by Todd Pipitone to approve the minutes of the May 27, 2010 meeting of the Town Board.

**MTN: APPROVE MINUTES OF TOWN BOARD MEETING 5/27/2010**

Second: Jim Welch

Vote: 3 Ayes. Carried.

**COMMUNICATIONS**

1. Presentation About Human Resources Services and Employee Handbook: Dan Sanford, Human Resources Consultant from Paychex, presented information about Paychex Premier Human Resources services available to the Town of Palmyra. They are offering to complete an updated Employee Handbook, which had been discussed by the Board on December 27, 2007, and a \$3000 up front payment had been made, and which each Town department head met to offer changes and additions in 2008, but which had not been completed since then. Paychex outlined the fee for their services, which includes waiving the \$3000 Implementation Fee, and reducing the fee for completing the handbook from \$800 per pay period to \$446 per pay period, for the 32 Town employees. In the discussion, Supervisor Miller asked if the

**PRESENTATION BY PAYCHEX HUMAN RESOURCE CONSULTANT TO PROVIDE HUMAN RESOURCE SERVICES TO TOWN, INCLUDING COMPLETING THE EMPLOYEE HANDBOOK**

**PRESENTATION BY  
PAYCHEX HUMAN  
RESOURCE  
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PROVIDE HUMAN  
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SERVICES TO  
TOWN, INCLUDING  
COMPLETING THE  
EMPLOYEE  
HANDBOOK**

payments could be made monthly instead of per pay period because Board members meet monthly. Sanford said some arrangement could be made so "we could pay as we go", to benefit the Town. Jim Welch asked what would happen if the Employee Manuals need updating in the future. Sanford said there would be a \$28 maintenance fee to the Town to keep the manual up to date as needed.

Supervisor Miller thanked Dan Sanford for presenting the information to Board members, and said we would be considering their offer later on in the meeting tonight.

A copy of the Summary of Product Features and Fees for Town of Palmyra is included with these minutes as Attachment A.

**WAYNE COUNTY  
SHERIFF'S  
OFFICE MONTHLY  
REPORT FOR  
JUNE 2010 NOT  
AVAILABLE  
TONIGHT**

2. **Wayne County Sheriff's Office Monthly Report:** Supervisor Miller did not receive a copy of the June 2010 report from the office of Wayne County Sheriff Barry Virts, with information about Palmyra complaints, arrests, motor vehicle accidents, etc. Ken stated he would put a copy in each Board member's mailbox when he receives it from the Sheriff's office.

**HILL CUMORAH  
PAGEANT CAST  
TEAMS SERVICE  
PROJECT AT TOWN  
HALL IN JULY**

3. **Hill Cumorah Pageant Cast Teams Service Project:** Each year, the Town receives a letter asking if there are local service projects available for teams of cast members from the Hill Cumorah Pageant during an afternoon in July. A list of helpful projects around Town Hall has been put together, so Town Clerk Lynne Green responded to this year's letter, saying we would like a team to work here.

## **REPORTS OF STANDING COMMITTEES**

### **Economic Development and Appeals Committee - Todd Pipitone, Chairman**

**BOARD CONSIDERS  
REPLACING  
INFORMATION  
CENTER SIGN FOR  
FRONT LAWN**

Todd Pipitone Brought to the attention of the Board the shabby condition of the Palmyra Information Center sign in front of Town Hall. It is now in its seventh year facing the elements, and has been taped to the board to keep it from fraying.

John Graham, owner of Custom 31, 220 E. Main Street, Palmyra, makes signs and banners of all kinds. Town Clerk Lynne Green had requested that Graham submit several designs to the Town, along with prices, for the Board to consider, as a replacement. Three designs were emailed to Lynne with the Town Clerk's staff evaluating them, as they had done for the previous sign. One was selected as the best design and easiest to read by passing motorists. Lynne made copies for the Board to consider at tonight's Board meeting. They looked over the design, with Ken making the comment about how he liked the ivory-to-light yellow background.

**BOARD  
CONSIDERS  
REPLACING  
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CENTER SIGN  
FOR FRONT  
LAWN**

### **Highway Committee – James Welch, Chairman**

**June Highway Department Report:** Although Highway Superintendent Mike Boesel was absent, he submitted his department's report from May 27 through June 24:

Highway Superintendent Report  
For Town Board Meeting 06/24/10

Since the 5/27/10 meeting we have completed the following work:

- Brushmowing – Harris Road, Hazen Lane, Jagger Road
- Storm culvert work – South Creek Road
- Hauling – hauled washed 1&2 and 3/8's stone for our road project later this summer
- Inter-municipal Assistance
  - 5/25/10 thru 5/27/10 – 1 Palmyra truck to Macedon for surface treating assistance
  - 6/9/10 – 1 Palmyra truck to Macedon for paving assistance (Marina Dr)
  - 6/11/10 – 2 Palmyra trucks to WC Hwy (Knickerbocker Road)
  - 6/15/10 thru 6/17/10 – 2 Palmyra trucks to Arcadia/Lyons for surface treating assistance
  - 6/15/10 thru 6/16/10 – 1 Bobcat & operator to WC Hwy (Maple Ave) for milling rebates
  - 6/17/10 - 4 Palmyra trucks to WC Hwy for paving assistance (Maple Ave)
  - 6/18/10 – 6 Palmyra trucks to WC Hwy for paving (Walworth Road)
  - 6/22/10 thru 6/23/10 – 2 Palmyra trucks to Marion for surface treating assistance
  - 6/22/10 thru 6/24/10 – 2 Marion trucks assisted us in hauling stone
  - 6/23/10 thru 6/24/10 - 1 Bobcat & operator to Macedon for milling assistance

**JUNE HIGHWAY  
DEPARTMENT  
REPORT**

Other miscellaneous items include:

- **Road Work** – We have been working on South Creek Road drainage culverts. We still have two more pipes to change and hope to grind/pave the road in July/August. Next week we intend to start cutting some shoulders and wedging several roads around the Town with help from other Towns. We will also be surface treating several roads later this summer.
- **911 Call** – On Saturday June 5<sup>th</sup> I received a 2am call for a tree down blocking the road on Port Gibson Road just south of Hogback Road intersection. I responded, cut up the tree and cleared the road.
- **NYSERDA Energy Audit** – I received the Energy Audit Report on June 9<sup>th</sup> but have not had time yet to analyze the results and recommendations.
- **Canandaigua Street Project Update** – Rizzo Construction completed the watermain installation work and has been working on transferring all the water services to the new main. They are starting to install some storm sewer catch basins and will soon be working directly opposite the Primary School.
- **Equipment -**
  - **10-Wheel Truck Update** –We have had our share of repairs to the truck fleet lately.
    - T28-2000Mack needed a complete rear brake job
    - T18-1999Mack needed a new turbo installed
    - T22-2004Sterling needed a new hose between the turbo and cooler
    - T10-2010Mack needed warranty work on the tarp system
    - T24-1995Mack and T28 had routine service work

Any questions, comments or concerns I will be glad to answer.

**Facilities, Operations and Planning Committee  
– Mike Lambrix, Chairman**

**NO PLANNING  
BOARD  
MEETING IN MAY**

Mike Lambrix was not in attendance this evening. In addition, no Planning Board meeting was held during June.

**Zoning Committee – David Nussbaumer, Chairman**

- |    |   |   |
|----|---|---|
| 1. | <b><u>Code Enforcement/Zoning Office Report:</u></b> June's CEO Report was distributed to Board members.  | <b>CODE<br/>ENFORCEMENT/<br/>ZONING REPORT<br/>FOR JUNE</b> |
| 2. | <b><u>Zoning Board Meeting:</u></b> Minutes of the Zoning Board of Appeals meeting on June 10, 2010 were passed to the Town Board members. They read the minutes without comment. | <b>ZONING BOARD<br/>MEETING<br/>6/10/2010<br/>MINUTES</b>   |

**INFORMATIONAL ITEMS**

- |    |   |  |
|----|---|--|
| 1. | <b><u>Assessor's Report for June:</u></b> Board members read the Assessor's Report, which included two pages of "Statement of Verified Changes" and a letter from the New York State Board of Real Property Services in Albany stating that the 2010 Equalization Rate, for all computing and eligibility amounts, is 100% for the 2010 Assessment Roll.  | <b>ASSESSOR'S<br/>REPORT FOR<br/>JUNE</b>                              |
| 2. | <b><u>Town Clerk's Office Report for June:</u></b> The report includes happenings about Water Project updates, the Information Center increased volume, looking for a software vendor that can handle upcoming dog licensing by Towns, new voting machine introduction, and attendance at a Records Management Workshop in Rochester. Final paperwork for our Archives grant was submitted on time, so final payment will be received soon. | <b>TOWN CLERK'S<br/>OFFICE REPORT<br/>FOR JUNE</b>                     |
| 3. | <b><u>Fourth of July Celebration at Village Park:</u></b> Information was given to Board members concerning Palmyra's Fourth of July Celebration to be held on Sunday, July 4, 2010, at noon in the Village Park on Main Street. Board members were invited to attend.  | <b>FOURTH OF<br/>JULY<br/>CELEBRATION<br/>AT VILLAGE<br/>PARK</b>      |
| 4. | <b><u>Palmyra Community Library:</u></b> Town Board members each received a copy, for their information, of the May 20, 2010 Library Board of Trustees meeting minutes in their packets, as well as a copy of the Library's Summer 2010 Newsletter, which had been sent to residents in the area served by the Palmyra Community Library.   | <b>PALMYRA<br/>COMMUNITY<br/>LIBRARY BOARD<br/>MEETING<br/>MINUTES</b> |

TOWN OF MARION REZONING REQUEST

- 5. **Town of Marion Paperwork:** As an adjoining town, Palmyra was sent a copy of the Town of Marion’s upcoming public hearing for rezoning for 3849 North Main Street.

TOWN OF WALWORTH CONSTRUCTION MORATORIUM

- 6. **Town of Walworth Paperwork:** As an adjoining town, Palmyra was sent a copy of the Town of Walworth’s Six Month Moratorium on the Development and Construction of Town Houses within the Town.

NO PUBLIC INPUT

- 7. **Public Input:** Although this item was on the agenda, there was no one present who wished to speak at this time.

**AGENDA ITEMS**

- 1. **Town of Palmyra Identity Theft Prevention Policy:** Using the Wayne County Identity Theft Prevention Policy as a guide, the following Town of Palmyra Identity Theft Prevention Policy was crafted:

Pursuant to 16 C.F.R. §681.2 and Section 153 of the Wayne County Law

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated; and

WHEREAS, those rules require certain businesses to implement an identity theft program and policy; and

WHEREAS, the Town Board of the Town of Palmyra has determined that the following policy is in the best interest of the Town and its citizens;

NOW, THEREFORE, BE IT RESOLVED, that the following is the Town of Palmyra Identity Theft Prevention Policy:

**TOWN OF PALMYRA  
IDENTITY THEFT PREVENTION POLICY**

**SECTION 1: BACKGROUND**

The risk to the Town, its employees or customers from data loss and identity theft is of significant concern to the Town and can be reduced only through the combined efforts of every employee and contractor.

TOWN OF PALMYRA IDENTITY THEFT PREVENTION POLICY

**SECTION 2: PURPOSE**

- 2.1 Town of Palmyra adopts this sensitive information policy to help protect employees, customers and the Town from damages related to the loss or misuse of sensitive information.
- 2.2 This Policy:
  - 2.2.1 Defines sensitive information;
  - 2.2.2 Describes the physical security of data when it is printed on paper;
  - 2.2.3 Describes the electronic security of data when stored and distributed; and
  - 2.2.4 Places the Town in compliance with federal law regarding identity theft protection.
- 2.3 This policy enables the Town to protect existing customers, to reduce risk from identity fraud, and to minimize potential damage to the Town from fraudulent accounts. The policy will help the Town:
  - 2.3.1 Identify risks that signify potentially fraudulent activity within new or existing covered accounts;
  - 2.3.2 Detect risks when they occur in covered accounts;
  - 2.3.3 Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed; and
  - 2.3.4 Update the policy periodically, including reviewing the accounts that are covered and the identified risks that are part of the program.

**TOWN OF  
PALMYRA  
IDENTITY THEFT  
PREVENTION  
POLICY**

**SECTION 3: SCOPE**

This policy applies to employees, contractors, consultants, temporary workers, and other workers at the Town, including all personnel affiliated with third parties.

**SECTION 4: SENSITIVE INFORMATION POLICY**

4.1 Definition of Sensitive Information

Sensitive information includes the following items whether stored in electronic or printed format:

**TOWN OF  
PALMYRA  
IDENTITY THEFT  
PREVENTION  
POLICY**

- 4.1.1 Credit card information, including any of the following:
  - .1 Credit card number (in part or whole)
  - .2 Credit card expiration date
  - .3 Cardholder name
  - .4 Cardholder address.
- 4.1.2 Tax identification numbers, including:
  - .1 Social Security number
  - .2 Business identification number
  - .3 Employer identification numbers.
- 4.1.3 Payroll information, including, among other information:
  - .1 Paychecks
  - .2 Pay stubs.
- 4.1.4 Cafeteria plan check requests and associated paperwork.
- 4.1.5 Medical information for any employee or customer, including but not limited to:
  - .1 Doctor names and claims
  - .2 Insurance claims
  - .3 Prescriptions
  - .4 Any related personal medical information.
- 4.1.6 Other personal information belonging to any customer, employee or contractor, examples of which include:
  - .1 Date of birth
  - .2 Address
  - .3 Phone numbers
  - .4 Maiden name
  - .5 Names
  - .6 Account or customer number
  - .7 Medicaid and Medicare numbers.
- 4.2 Supervisor Review
- 4.2.1 Town personnel are encouraged to use common sense judgment in securing confidential information to the proper extent.
- 4.2.2 Furthermore, this section should be read in conjunction with Article 6 of the New York State Public Officers Law.
- 4.2.3 If an employee is uncertain of the sensitivity of a particular piece of information, then he/she should contact their supervisor.
- 4.3 Hard Copy Record Protection

Each employee and contractor performing work for the Town will comply with the following policies:

- 4.3.1 File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with sensitive information will be closed when not in use.
- 4.3.2 Storage rooms containing documents with sensitive information and record retention areas will be locked at the end of each workday or when unsupervised.
- 4.3.3 Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing sensitive information when not in use.
- 4.3.4 Whiteboards, dry-erase boards, writing tablets, and similar items in common shared work areas will be erased, removed, or shredded when not in use.
- 4.3.5 When documents containing sensitive information are discarded, they will be placed inside a shred bin or immediately shredded using a mechanical shredding device. A cross-cut device is preferable. Town records, however, may only be destroyed in accordance with the Town's Records Retention and Disposition Schedule available from the Town Clerk.

**TOWN OF  
PALMYRA  
IDENTITY THEFT  
PREVENTION  
POLICY**

4.4 Electronic Record Protection

Each employee and contractor performing work for the Town will comply with the following policies:

- 4.4.1 Internally, sensitive information may be transmitted using approved Town e-mail.
- 4.4.2 Any sensitive information sent externally must be sent only to approved recipients. Additionally, a statement such as this should be included in the e-mail:

*Confidential Notice: This transmission, including any attach-ments, is for the sole use of the intended recipient(s) or entity named above and may contain confidential and privileged information. If you received this and are not the intended recipient, you are hereby notified that any disclosure, copying, unauthorized distribution or the taking of any action in reliance on the contents of this information is prohibited. If you have received this transmission in error, please immediately contact the sender as indicated above to arrange the proper handling of the information.*

**SECTION 5: POLICY ADMINISTRATION**

5.1 Involvement of Management

5.1.1 The Identity Theft Prevention Policy is the responsibility of the  
Town of Palmyra Town Board.

5.1.2 Operational responsibility of the policy is delegated to the  
Town Supervisor.

5.2 Staff Training

5.2.1 Staff training shall be conducted for all employees, officials  
and contractors for whom it is reasonably foreseeable that  
they may come into contact with accounts or personally  
identifiable information that may constitute a risk to the  
Town.

5.2.2 The Town Supervisor or his designee is responsible for  
ensuring identity theft training for all requisite employees  
and contractors.

5.2.3 Employees must receive periodic training in all elements of  
this policy.

5.2.4 To ensure maximum effectiveness, employees may continue  
to receive additional training as changes to the program are  
made.

5.2.5 This policy shall be reviewed with new Town employees as  
part of the orientation process.

5.3 Oversight of Service Provider Arrangements

5.3.1 A service provider that maintains its own identity theft  
prevention program, consistent with the guidance of the red  
flag rules and validated by appropriate due diligence, may be  
considered to be meeting these requirements.

5.3.2 Any specific requirements should be specifically addressed in  
the appropriate contract arrangements.

**TOWN OF  
PALMYRA  
IDENTITY THEFT  
PREVENTION  
POLICY**

**MTN: APPROVE  
TOWN IDENTITY  
THEFT  
PREVENTION  
POLICY**

Motion was made by Todd Pipitone to accept the Town of Palmyra  
Identity Theft Prevention Policy.

Second: Jim Welch

Vote: 3 Ayes. Carried.

- 2. **Retirement of Code Enforcement Officer:** At its meeting on May 27<sup>th</sup>, the Town Board approved the retirement of Code Enforcement/ Zoning Officer/Building Inspector Bob Grier, retroactive to April 30<sup>th</sup>. Board members felt it would be fitting to prepare a resolution honoring Bob’s retirement:

**RESOLUTION**

WHEREAS, the Town Board of the Town of Palmyra, County of Wayne, State of New York, has noted the following years of service to the Town by the Palmyra Code Enforcement Officer/Zoning Officer/Building Inspector Robert A. Grier:

Appointed to the Palmyra Town Board on February 13, 1986, to fill a vacancy left by the election of Edwin Wheeler as Town Supervisor;

Elected member of the Town Board through 1996;

Appointed as full-time Town and Village Code Enforcement Officer on December 12, 1996;

**RESOLUTION  
HONORING  
RETIREMENT OF  
BOB GRIER**

WHEREAS, these years of service to the Town of Palmyra have benefited the Town and its residents in many ways; and

WHEREAS, the Town Board of the Town of Palmyra recognizes the work accomplished by Bob and the Code Enforcement Office as a whole;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Palmyra wishes to express its appreciation and gratitude to Robert A. Grier for the time and effort as Code Enforcement Officer/Zoning Officer/Building Inspector; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Palmyra wishes Code Enforcement Officer/Zoning Officer/Building Inspector Bob Grier many fruitful and enjoyable years in retirement.

**MTN: APPROVE  
RESOLUTION  
HONORING  
RETIREMENT OF  
BOB GRIER**

Councilman Jim Welch moved to approve the resolution for Bob Grier.

Second: Todd Pipitone                      Vote: 3 ayes. Carried.

All Board members will be asked to sign the resolution, and it will be presented to Bob at a later time.

- 3. **Paychex Premier Human Resources Services for Employee Handbook:** Dan Sanford, representing Paychex Premier Human Resources, approached the Board about "customizing and developing the employee handbook as well as developing more infrastructure regarding Human Resources,...improve the consistency throughout their organization, both from a communication and a compliance perspective." The Town had previously "purchased the Employee Management Service (Basic Employee Handbook), but due to time and lack of HR knowledge, they are interested in having a specialist develop the document in a more 'hands-on' manner." Sanford listed six objectives and a summary of product features and fees for Town of Palmyra.

PAYCHEX  
HUMAN  
RESOURCE  
SERVICES &  
EMPLOYEE  
HANDBOOK

Ken Miller's concerns were the payment schedule and maintenance fee. Jim Welch wondered about updating manuals. Todd Pipitone inquired about the Fortune 1000 HR resources. He also expressed that the new Identity Theft Prevention Policy passed this evening could be a part of the handbook

Ken asked that the Board table this approval to the July meeting so that Mike Lambrix and Dave Nussbaumer could see what is being proposed and offer comments. Also, Todd was concerned he might have a conflict of interest, so there would not be sufficient votes tonight without his vote. ACTION TABLED.

ACTION TABLED

- 4. **Replace Information Center Sign in Front of Town Hall:** Board members looked over the sketches of the proposed sign, with Ken making sure the cost wouldn't overrun the Tourism budget. Todd Pipitone made the motion to replace the Information Center sign, not to exceed \$257, which includes installation.

MTN: REPLACE  
INFORMATION  
CENTER SIGN AT  
TOWN HALL

Second: Jim Welch                      Vote: 3 Ayes. Carried.

- 5. **Contractor's Application for Payment:** With a substantial portion of the Johnson/Floodman/Parker Water Improvement Areas' water pipes installed, the Town received the Contractor's Application for Payment No. 3 from the Wayne County Water and Sewer Authority. This payment request was for \$53,297.96. Jim Welch made the motion to approve the payment No. 3 in the amount of \$53,297.96.

MTN: APPROVE  
PAYMENT NO. 3  
FOR JOHNSON/  
FLOODMAN/  
PARKER RDS.  
WATER  
IMPROVEMENT  
AREAS  
INSTALLATION

Second: Todd Pipitone                      Vote: 3 Ayes. Carried.

6. **Approve Abstracts #196 and #197:** Todd Pipitone made the motion to approve the claims and expenditures shown on Abstract #196, that includes Voucher Numbers 11369 through 11376 for \$139,549.70, and Abstract #197, that includes Voucher Numbers 11377 through 11457 for \$171,606.52.

**MTN: APPROVE  
ABSTRACTS #196  
AND #197**

Second: Jim Welch      Vote: 3 Ayes. Carried.

7. **Executive Session:** At 7:46 p.m., Todd Pipitone made the motion to enter Executive Session, to discuss contractual matters.

**MTN: ENTER  
EXECUTIVE  
SESSION**

Second: Jim Welch      Vote: 3 Ayes. Carried.

8. **Motion to Adjourn:** At 8:20, Supervisor Miller declared the Board out of Executive Session. At 8:22 p.m., Todd Pipitone made the motion to adjourn the meeting.

**MTN: ADJOURN  
MEETING**

Second: Jim Welch      Vote: 3 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

**ATTACHMENT A:** Summary of Product Features and Fees for Town of Palmyra, by Paychex Premier Human Resources.

**NEXT TOWN BOARD MEETING**

**THURSDAY, JULY 22, 2010, 7:00 P.M.  
PALMYRA TOWN HALL**