

**PUBLIC HEARING FOR 2010 TOWN BUDGET  
AND SPECIAL MEETING OF THE TOWN BOARD**

**PALMYRA TOWN HALL  
NOVEMBER 5, 2009**

At 7:30 p.m., Supervisor Lyon called to order the public hearing upon Preliminary Budget for Calendar Year 2010, scheduled for Thursday, November 5, 2009, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York.

**CALL PUBLIC  
HEARING TO  
ORDER**

The following legal notices announcing this public hearing and special meeting were posted and published in accordance with law:

**LEGAL NOTICE  
TOWN OF PALMYRA**

**NOTICE OF PUBLIC HEARING**

UPON PRELIMINARY BUDGET FOR CALENDAR YEAR 2010

**NOTICE IS HEREBY GIVEN**, that the Preliminary Budget of the Town of Palmyra for the fiscal year beginning January 2010 has been completed and filed in the Office of the Town Clerk, Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, where it is available for inspection by any interested persons during normal business hours.

**LEGAL NOTICE OF  
PUBLIC HEARING**

**FURTHER NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Palmyra, will meet and review said preliminary budget and to hold a Public Hearing thereon at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, at 7:30 PM on the 5<sup>th</sup> day of November, 2009. At this hearing any persons may be heard in favor of or against the Preliminary Budget as compiled, or for or against any item or items therein contained.

Pursuant to section 108 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

Town Supervisor	\$ 21,500.00
Town Justices (2)	\$ 24,282.00
Town Councilpersons (4)	\$ 14,000.00
Town Clerk	\$ 35,473.00
Superintendent of Highways	\$ 59,450.00

Dated: September 24, 2009  
By Order of the Town Board

Other items needed attention at this meeting, so a second legal notice was posted and published of a Special Meeting, allowing the Town Board to transact “business related to proposed Water Improvement Areas, as well as any other business that may come before the Town Board.”

**LEGAL NOTICE**  
TOWN OF PALMYRA  
NOTICE OF SPECIAL MEETING

**NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Palmyra will conduct a Special Meeting on the evening of Thursday, November 5, 2009, after the Public Hearing for the 2010 Preliminary Town Budget, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, New York.

**LEGAL NOTICE OF  
SPECIAL TOWN  
BOARD MEETING**

**FURTHER NOTICE IS HEREBY GIVEN**, that this special meeting is called to transact business related to proposed Water Improvement Areas, as well as any other business that may come before the Town Board.

Dated: October 26, 2009

Lyndall Ann P. Green  
Palmyra Town Clerk

**MEETING  
ATTENDANCE**

The following were in attendance at this meeting: Jim and Lorrie Mulye, Billie Rae Walker—reporter for the *Courier-Journal*, Rita Otterbein, Todd Pipitone and Mike Boesel, Palmyra Highway Superintendent.

Supervisor Lyon thanked those present and asked them if they had anything they’d like to say concerning the proposed 2010 Town Budget. No one spoke.

**2010 BUDGET  
HEARING**

Councilman Dave Nussbaumer made a comment that he wanted included with the minutes of this budget hearing. He clarified the line in the budget dealing with Payments to Town Board members. Some townspeople thought each councilman was paid \$14,000 per year. Dave wanted it noted that the \$14,000 is for all four councilmen for the year 2010.

Supervisor Lyon asked if there were any more comments concerning the proposed budget. Hearing none, he declared the Public Budget Hearing closed at 7:33 p.m.

**CALL TO ORDER  
SPECIAL TOWN  
BOARD MEETING**

At 7:34 p.m., Supervisor Lyon called to order the Special Town Board meeting to discuss Water Improvement Areas and any other town matters.

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

**PLEDGE TO THE FLAG**

Upon roll call, the following board members were present:

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

**ROLL CALL**

Councilman James Welch was excused.

Motion was made by Dave Nussbaumer to approve the minutes of the October 22, 2009 meeting of the Town Board.

**MTN: APPROVE 10/22/2009 TOWN BOARD MEETING MINUTES**

Second: Mike Lambrix

Vote: 4 Ayes. Carried.

**COMMUNICATIONS**

Letter of Recommendation: A letter was received on October 20 from MRB Group recommending the Town consider the bid proposal submitted by the Wayne County Water and Sewer Authority to construct the Johnson Road, Floodman Road and Parker Road Water Improvement Areas. This recommendation would need permission from Rural Development and the State Comptroller's office, as well as consultation with the Town's legal counsel before the Town Board can award the contract.

**LETTER OF RECOMMENDATION FOR WATER IMPROVEMENT AREAS**

**AGENDA ITEMS**

1. Newport Alliance Agreement: Newport Alliance was dissolved as Third Party Administrator on November 1, 2009. Continued care was fully assumed by Workforce Integrity Network. Authorization from the Town was needed before November 1, so Dave Lyon signed the authorization form on October 27, 2009, to continue drug and alcohol testing services for employees with the Town. Mike Lambrix made the motion to approve this change and to authorize a new agreement between the Town of Palmyra and Workforce Integrity Network.

**MTN: AUTHORIZE AGREEMENT WITH WORKFORCE INTEGRITY NETWORK**

Second: Dave Nussbaumer

Vote: 4 ayes. Carried.

- 2. Resolution: Application to NY State Comptroller—Johnson Road Water Improvement Area: The following resolution was presented to the Town Board authorizing the Supervisor to submit an application to the Comptroller for approval of proposed creation of the Johnson Road Water Improvement Area:

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

**RESOLUTION:  
AUTHORIZE TOWN  
TO APPLY FOR  
COMPTROLLER  
APPROVAL FOR  
JOHNSON ROAD  
WATER  
IMPROVEMENT  
AREA**

**MTN: APPROVE  
RESOLUTION TO  
AUTHORIZE TOWN  
TO APPLY FOR  
COMPTROLLER  
APPROVAL FOR  
JOHNSON ROAD  
WATER  
IMPROVEMENT  
AREA**

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Resolution

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WHEREAS, the Town Board has held public hearings on the creation of Floodman Road Water Improvement Area; and

WHEREAS, the Board, after a public hearing, discussion and review, has authorized an application to the New York State Comp-troller for approval of the Floodman Road Water Improvement Area;

NOW, THEREFORE, be it resolved that the Town Board of the Town of Palmyra authorized the supervisor of the Town to submit an application to the New York State Comptroller seeking approval of the proposed creation of the Floodman Road Water Improvement Area:

AND BE IT FURTHER RESOLVED

**RESOLUTION:  
AUTHORIZE TOWN  
TO APPLY FOR  
COMPTROLLER  
APPROVAL FOR  
PARKER ROAD  
WATER  
IMPROVEMENT  
AREA**

THAT:

- 1) The application submitted herewith was prepared at the direction of the Town Board;
- 2) The Town Board believes the contents of the application attached hereto to be accurate;
- 3) The Town Board has determined that the improvement and the expenditures to construct the improvement for which this application is submitted in the public interest and will not constitute a burden on the property which will bear the cost thereof;
- 4) The cost is to be assessed solely against the benefited area and that all the real property to be assessed will be benefited by the proposed improvements; and
- 5) No benefited property has been excluded.

The above resolution was unanimously passed.

Dated: November 5, 2009

Dave Nussbaumer made the motion to approve the resolution to authorize the Town of Palmyra to apply to the New York State Comptroller for approval of the proposed creation of the Floodman Road Water Improvement Area.

Second: Mike Lambrix                      Vote: 4 Ayes. Carried.

4. Resolution: Application to NY State Comptroller—Parker Road Water Improvement Area: The following resolution was presented to the Town Board authorizing the Supervisor to submit an application to the Comptroller for approval of proposed creation of the Parker Road Water Improvement Area:

In The Matter of the Creation of  
Parker Road Water Improvement Areas in the  
Town of Palmyra, County of Wayne, State of New York

**MTN: APPROVE  
RESOLUTION TO  
AUTHORIZE TOWN  
TO APPLY FOR  
COMPTROLLER  
APPROVAL FOR  
PARKER ROAD  
WATER  
IMPROVEMENT  
AREA**

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**Resolution**

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WHEREAS, the Town Board has held public hearings on the creation of Parker Road Water Improvement Area; and

WHEREAS, the Board, after a public hearing, discussion and review, has authorized an application to the New York State Comptroller for approval of the Parker Road Water Improvement Area;

NOW, THEREFORE, be it resolved that the Town Board of the Town of Palmyra authorized the supervisor of the Town to submit an application to the New York State Comptroller seeking approval of the proposed creation of the Parker Road Water Improvement Area:

AND BE IT FURTHER RESOLVED THAT:

- 1) The application submitted herewith was prepared at the direction of the Town Board;
- 2) The Town Board believes the contents of the application attached hereto to be accurate;
- 3) The Town Board has determined that the improvement and the expenditures to construct the improvement for which this application is submitted in the public interest and will not constitute a burden on the property which will bear the cost thereof;
- 4) The cost is to be assessed solely against the benefited area and that all the real property to be assessed will be benefited by the proposed improvements; and
- 5) No benefited property has been excluded.

The above Resolution was unanimously passed.

Dated: November 5, 2009

Mike Lambrix made the motion to approve the resolution to authorize the Town of Palmyra to apply to the New York State Comptroller for approval of the proposed creation of the Parker Road Water Improvement Area.

Second: Dave Nussbaumer

Vote: 4 Ayes. Carried.

- 5. Approve Final 2010 Town Budget: Having presented the 2010 Palmyra Town Budget to the public, and having given them the opportunity to comment on the Preliminary Budget, Mike Lambrix made the motion to approve the Final 2010 Town Budget.

**MTN: APPROVE  
2010 TOWN  
BUDGET**

Second: Dave Nussbaumer      Vote: 4 Ayes. Carried.

- 6. North Creek Road Speed Limit Reduction: An item requested by Councilman Mike Lambrix was an update on the request made earlier in the year to reduce the speed on North Creek Road westward from the South Creek Road intersection to the Pease property, approximately .5 mi. from the intersection with Route 21.

**UPDATE ON NORTH  
CREEK ROAD  
SPEED LIMIT  
REDUCTION  
REQUEST**

Highway Superintendent Mike Boesel said he hadn't heard anything back from the Wayne County Highway Department and said he would check into this and report back at the next meeting.

- 7. Motion to Adjourn: At 7:46 p.m., Dave Nussbaumer made the motion to adjourn the meeting.

**MTN: ADJOURN  
MEETING**

Second: Ken Miller      Vote: 4 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

**NEXT TOWN BOARD MEETING:  
TUESDAY, NOVEMBER 24, 2009, 7:30 P.M.  
PALMYRA TOWN HALL**