

**REGULAR MEETING OF THE TOWN BOARD
SEPTEMBER 1, 2005**

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, September 1, 2005, at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, NY, was called to order at 8:00 p.m. by Town Supervisor David C. Lyon.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call, the following board members were present:

ROLL CALL

- David C. Lyon, Supervisor
- Kenneth Miller, Councilman
- James Welch, Councilman
- Michael Lambrix, Councilman
- Councilman Dave Nussbaumer was absent

Also attending the meeting:

ATTENDANCE

- Matt Secore 2131 Daansen Road
- Charles Wirth 1527 E. Pal.-Port Gibson Rd.
- Rick Walton 1451 Port Gibson Rd.
- Robert Grier Palmyra Code Enforcement/Zoning

REPORTS OF STANDING COMMITTEES

Buildings & Grounds Committee – Kenneth Miller, Chairman

1. Bids were opened August 31st for replacement of the roof on the Town Hall. Lowest base bid received was by Secore Contracting, 2131 Daansen Rd., Palmyra, at \$48,405.00. It was Ken Miller's recommendation that this bid be accepted. This amount is for the roof replacement, but doesn't include things such as sheathing, gutter, downspout, fascia board, and roof wall vents. It was decided that Ken Miller, Dave Lyon, Bob Grier and Matt Secore would meet on September 2 to resolve what needs to be done and to sign the papers. Ken Miller made the motion to accept Secore Contracting's bid, not to exceed \$48,405.

Second: Mike Lambrix

Vote: 4 ayes. Carried.

**ELECTRICAL
ISSUES AT TOWN
HALL**

- 2. Electrical issues at Town Hall: Ken noted there are several electrical items which need attention at Town Hall, including a light in the parking lot. He said he would contact an electrical contractor to come in.

**SIGN IN FRONT
OF TOWN HALL**

- 3. Sign in front of Town Hall: An offer has been made by Elder Jim Dugger, who is an LDS missionary working at the Palmyra Temple. He and other missionaries, one of whom is a sign designer, are willing to create a sign for the front of the Town Hall, stating "Palmyra Town Hall" with the town logo, if desired—costs and labor included. Ken Miller consulted with fellow board members about the offer, with the stipulation that he be the coordinator for this project. There was consensus from board members that this project could proceed with Ken Miller coordinating.

Highway Committee – Michael Lambrix, Chairman

**HIGHWAY DEPT.
UPDATE**

Highway Department update: Mike Lambrix reported that the ditch finishing work on Shilling Road has been done and that a budget meeting is set up with Superintendent Boesel.

Planning Committee – James Welch, Chairman

**RISING GAS
PRICES
AFFECTING
TOWN VEHICLES**

Although Jim Welch didn't have a report from the Planning Committee, he questioned Dave Lyon about rising gasoline prices, wondering if the town is locked in to a certain price. Lyon noted our gasoline prices were on the state bid when we purchased quantity for our fuel depot tanks. Lambrix said the highway crew is being encouraged to find ways to conserve fuel.

INFORMATIONAL ITEMS

**OPEN BURNING
ISSUE IN TOWN**

Open Burning issue in town: Information about open burning laws and ordinances was provided to members of the board by an East Palmyra resident. There is an issue with a resident in the area who

is burning items which may be considered toxic on his property. Dave Lyon said he would pass the information on to the Planning Board and ask for their recommendation. The rest of the board agreed.

AGENDA ITEMS

- 1. Resolution: Garnsey-Shilling Area Water District: The Town has been waiting for final paperwork for the Bond Anticipation Notes (BANs) in order to pay the annual payment which came due in July. Since the closing was expected within a month or two from the due date, the town advanced the funds from the general fund to pay off the BAN. This resolution allows for the town to be reimbursed at the closing:

RESOL: FINAL PAPERWORK FOR GARNSEY-SHILLING AREA WATER DISTRICT BOND ANTICIPATION NOTES

RESOLUTION

The Garnsey-Shilling Area Water District was nearly complete in July 2005. It was expectant that the closing with the USDA on the \$379,500 bond would take place in July 2005, as soon as the paperwork was in place. The Bond Anticipation Note at that time would be renewed at a substantial increase in interest.

Since the closing on the USDA Bond was anticipated in days, it was decided to borrow the funds from the General Fund of the Town at the same interest note as the Bond Anticipation Note had received but not less than the interest rate that the Town funds as investment were receiving.

The Town paid off the Bond Anticipation Note with a loan from the paid Town General Fund with interest 2.25% on the 13th day of July 2005.

The closing did not occur in July. It now appears that the closing will occur in September/October 2005.

WHEREAS, the following RESOLUTION was made by Michael Lambrix and seconded by Kenneth Miller, and

WHEREAS, the Town has loaned from paid Town Funds \$379,500 to pay off Bond Anticipation Notes of the Garnsey-Shilling Area Water District and there is a debt from the District to the Town, and

NOW, THEREFORE, BE IT RESOLVED, that the Garnsey-Shilling Area Water District shall repay the loan from the Town General Funds with interest at 5% per annum upon receipt of the proceeds of the Rural Development Bond in the amount of \$379,500, and

BE IT FURTHER RESOLVED that the Town Board acknowledges that \$4,500 of the payment shall constitute a debt reduction effective on July 13, 2005, and that \$375,000 shall be refinanced over a term of 38 years, and

BE IT FURTHER RESOLVED that the existing obligation from the Garnsey-Shilling Area Water District from the Town General Fund be cancelled upon receipt of the payment.

**ROLL CALL
VOTE ON
RESOLUTION**

The question of adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor David Lyon	VOTING	Aye
Councilman Kenneth Miller	VOTING	Aye
Councilman David Nussbaumer	Absent	
Councilman Michael Lambrix	VOTING	Aye
Councilman James Welch	VOTING	Aye

The Resolution was thereupon declared duly adopted this 1st day of September, 2005.

**ENTER
EXECUTIVE
SESSION**

- 2. At 8:20 p.m., Ken Miller made the motion to enter Executive Session to discuss matters of personnel.

Second: Mike Lambrix Vote: 4 ayes. Carried.

At this point, a 5 minute recess in the meeting was called before the Board entered Executive Session.

**EXIT EXECUTIVE
SESSION**

At 9:30 p.m., Supervisor Lyon declared the board out of Executive Session.

**MTN: ADJOURN
MEETING**

- 3. Motion to Adjourn: At 9:31 p.m., Mike Lambrix made the motion to adjourn the meeting.

Second: Ken Miller Vote: 4 ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

**NEXT MEETING: THURSDAY, SEPTEMBER 22, 2005, AT 8:00 P.M.
PALMYRA TOWN HALL**