

**TOWN OF PALMYRA  
ANNUAL ORGANIZATIONAL MEETING  
JANUARY 3, 2008**

The Organizational Meeting scheduled to be held on Thursday, January 3, 2008 at the Palmyra Town Hall, 1180 Canandaigua Road, Palmyra, Wayne County, New York, 14522, was called to order at 7:30 p.m. by Town Supervisor David Lyon.

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

Upon roll call, the following Town Board members were present:

- Supervisor - David C. Lyon
- Town Board Members - James Welch
- Kenneth Miller
- Michael Lambrix
- David Nussbaumer

**ROLL CALL**

Others present at this organizational meeting included:

Mike Boesel – Palmyra Highway Superintendent

**ATTENDANCE**

The following appointments were designated and announced by Town Supervisor David Lyon:

- |   |                  |  |
|---|------------------|--|
| Deputy Supervisor -                                       | David Nussbaumer | <b>APPOINTMENTS<br/>MADE BY<br/>SUPERVISOR</b> |
| Clerk to the Supervisor -                                 | Petra Anderson   |  |
| Town Historian -  | Beth Hoad        |  |
| Committee Appointments -                                  |                  |  |
| • Highway Committee Chairman                              | James Welch      |  |
| • Planning and Economic<br>Development Committee Chairman | Michael Lambrix  |  |
| • Zoning Committee Chairman                               | David Nussbaumer |  |
| • Buildings & Grounds Chairman                            | Kenneth Miller   |  |

**APPOINTMENTS AND SALARIES**

Motion to approve the following appointments and salaries, and to make the appointments retroactive to January 1, 2008 was moved by Ken Miller:

**MTN: APPROVE  
APPOINTMENTS  
AND SALARIES  
FOR 2008**

<u>TITLE</u>	<u>NAME</u>	<u>SALARY</u>
Deputy Supervisor:	David Nussbaumer	NONE
Budget Officer:	David C. Lyon	\$604/yr
Town Historian:	Beth Hoad	\$1,100/yr
Town Constable:	Gary Rose	NONE
Zoning Enforcement Officer & Building Inspector:	Robert Grier	\$48,000/yr
Deputy Zoning Enforcement Officer & Bldg Inspector:	Dan Wooden	\$19,700/yr
Animal Control Officer & Rabies Responder:	Gary Rose	\$9,000/yr
Deputy Animal Control Officer:	Michelle Rose	NONE
Deputy Town Clerk:	Irene E. Unterborn	\$12.50/hr
Office Clerk (part-time):	Celeste Finewood	\$11.00/hr
Office Clerk (part-time sub):	Joan M. Shaffer	\$10.00/hr.
Records Management Officer:	Lyndall Ann P. Green	NONE
Records Mgmt. Coordinator:	Celeste Finewood	NONE
Clerk to the Supervisor:	Petra Anderson	\$33,500/yr
Registrar (4 yrs-thru 2008):	Lyndall Ann P. Green	Fee Reimbursement
Deputy Registrar:	Irene E. Unterborn	Fee Reimbursement
Deputy Highway Supt:	Michael Paul	\$20.61/hr

Bingo Inspector:	Elmer VerPlank	\$15.00/occasion
Health Officer (4 yrs-2009):	John Wehrle, MD	Per Statute
Court Clerk:	Helga Haak	\$11,500/yr
Secretary to Zoning Bd, Planning Board & Code Enforcement Officer:	Denise Sellers	\$10.77/hr
Clerk to the Assessor	Joan E. Gates	\$12.31/hr.
Clerk to Highway Supt:	Karen Yantz	\$12.02/hr

Second: Mike Lambrix                      Vote: 5 ayes. Carried.

Hourly rate for Town Highway Crew

Deputy Superintendent	\$20.61/hr
Equipment Operators	\$19.35/hr
	\$16.45/hr---01/01/08-06/30/08
	\$17.42/hr---07/01/08-12/31/08
Mower Operator	\$11.25/hr
Seasonal Help	\$ 10.00/hr

**MTN: APPROVE  
PAY RATES FOR  
TOWN HIGHWAY  
CREW**

Motion was made by Jim Welch to approve the hourly rates for the Town Highway Crew:

Second: Dave Nussbaumer                      Vote: 5 ayes. Carried.

Emergency Services Advisory Committee: Typically, a representative from the Palmyra Fire Department has been appointed to serve on this committee. During 2007 no one was named at the Organizational Meeting. For 2008, the representative has yet to be determined.

**NO REPRESENTATIVE FOR THE  
EMERGENCY  
SERVICES  
ADVISORY  
COMMITTEE**

Councilman Dave Nussbaumer made the motion that all appointments and salaries mentioned above are retroactive to January 1, 2008.

**MTN: ALL  
APPOINTMENTS  
& SALARIES  
RETROACTIVE  
TO 1/1/2008**

Second: Jim Welch                                      Vote: 5 ayes. Carried.

**OTHER ACTION ITEMS**

1. Motion by Dave Nussbaumer to authorize petty cash funds and custodians for:

**MTN: AUTHORIZE PETTY CASH FUNDS FOR TOWN OFFICES**

Town Clerk (\$200.00)  
 Code Enforcement Office, (\$50.00)  
 Water/Sewer Collection (\$100.00)  
 Tax Collector (School & Town/County - \$100.00 each)

Second: Mike Lambrix                      Vote: 5 ayes. Carried.

2. Motion by Mike Lambrix to set the rate for mileage at \$.45 per mile for the calendar year 2008.

**MTN: RATE FOR 2008 MILEAGE AT \$.45 PER MILE**

Second: Ken Miller                      Vote: 5 ayes. Carried.

3. Motion by Ken Miller to appoint David Nussbaumer as Board Representative to the Wayne County Cable TV Council for 2008.

**MTN: APPT. REP TO WAYNE COUNTY CABLE TV COUNCIL**

Second: Jim Welch                      Vote: 5 ayes. Carried.

4. Motion by Mike Lambrix to designate the *Courier-Journal* and *The Times of Wayne County* as the Town's official newspapers for the calendar year 2008.

**MTN: NAME OFFICIAL TOWN NEWSPAPERS**

Second: Dave Nussbaumer              Vote: 5 ayes. Carried.

5. Motion by Mike Lambrix to designate the following dates as meeting nights for the Palmyra Town Board for the calendar year 2008:

**MTN: DATES FOR MEETING NIGHTS OF TOWN BOARD**

- 2nd Thursday of month - Workshop and/or business meeting as needed
- 4th Thursday of month - Regular business meeting with the following exceptions:  
 Regular business meetings in April & October in East Palmyra  
 January 2008 meetings will be the 3<sup>rd</sup> and the 24<sup>th</sup>  
 November 2008 meetings will be the 6<sup>th</sup> and the 20<sup>th</sup>  
 December 2008 meetings will be the 11<sup>th</sup> and Tuesday, the 30<sup>th</sup>

Second: Jim Welch                      Vote: 5 ayes. Carried.

- 6. Motion by Dave Nussbaumer to designate the following as Official Town Depositories:

HSBC Bank  
 JP Morgan/Chase Bank  
 M & T Trust Company  
 Key Bank  
 Bank of America  
 Chemical Bank  
 Community Bank, N.A.  
 Charter One Bank  
 Citizens Bank

**MTN:  
 DESIGNATE  
 OFFICIAL TOWN  
 DEPOSITORIES**

Second: Mike Lambrix                      Vote: 5 ayes. Carried.

- 7. Motion by Ken Miller to authorize the following Items to be paid prior to audit: Utilities, Hospitalization, Payrolls, Postage, Disability Insurance, Social Security and Retirement.

**MTN:  
 AUTHORIZE  
 PAYMENT PRIOR  
 TO AUDIT**

Second: Dave Nussbaumer    Vote: 5 ayes. Carried.

- 8. Motion by Mike Lambrix to set the price of gravel not to exceed \$3.50 per ton (bank run) and processed gravel not to exceed \$5.50 per ton.

**MTN: SET  
 PRICE OF  
 GRAVEL**

Second: Dave Nussbaumer    Vote: 4 ayes. Carried.  
 Dave Lyon abstained.

- 9. Motion by Jim Welch to approve the "Agreement to Spend Town Highway Funds" between the Town of Palmyra and the Wayne County, per Highway Superintendent, Michael Boesel.

**MTN: APPROVE  
 AGREEMENT TO  
 SPEND TOWN  
 HWY FUNDS**

Second: Dave Nussbaumer    Vote: 5 ayes. Carried.

The Supervisor and Board members signed the agreement.

- 10. Dave Nussbaumer made the motion to adopt the Rules of Procedure for 2008.

**MTN: ADOPT  
 RULES OF  
 PROCEDURE**

Second: Mike Lambrix                      Vote: 5 ayes. Carried.

**RESOLUTION FOR 2008**

**BE IT RESOLVED**, that the Town Board of the Town of Palmyra hereby adopts Rules of Procedure pursuant to Section 63 of the Town Law as follows:

**RULES OF PROCEDURE  
TOWN OF PALMYRA**

**1. Organization Meeting**

The organizational meeting of the Board shall be held at, on, or before the third Thursday in January of each year. The exact date and time shall be established on or before the last meeting of the Town Board in the month of December immediately preceding January, the month in which the organization meeting shall be held.

**2. Regular Meetings**

The 2<sup>nd</sup> Thursday of each month shall be designated as a workshop and/or business meeting of the Board, as needed. The 4<sup>th</sup> Thursday of each month shall be designated as the regular business meeting of the Board, at Town Hall, with the following exceptions:

January 2008 meetings will be January 3<sup>rd</sup> and 24<sup>th</sup>.

Regular business meeting in April & October held in East Palmyra.

November 2008 meetings will be the 6<sup>th</sup> and 20<sup>th</sup>.

December 2008 meetings will be the 11<sup>th</sup> and Tuesday, the 30<sup>th</sup>.

**3. Special meetings**

Special meetings may be called as provided in the Town Law of the State of New York.

**4. Place of Meetings**

All meetings shall be held at the Town Hall of the Town of Palmyra, 1180 Canandaigua Road, Palmyra, New York, except the regular business meeting in April and the regular business meeting in October, which shall be held at the East Palmyra Fire Hall, unless the Board shall, by resolution, move or adjourn the meeting to another place within the Town of Palmyra.

**5. Quorum**

A quorum shall be 3 of the 5 members. Actions of the Board shall require an affirmative vote of at least 3 members of the entire Town Board for each action passed, except as otherwise prescribed by law. In the event there is not a quorum present, the members gathered may adjourn the meeting to a new time and place, provided due notice must be given to the members absent. All votes by each member of the Town Board shall be clearly identified in the minutes.

**RESOLUTION:  
RULES OF  
PROCEDURE  
FOR 2008**

**6. Time of Meetings**

All meetings shall commence at 7:30 p.m., unless the starting time shall be amended by the affirmative vote of the Board. The time of commencement of the meeting may be postponed until the conclusion of a public hearing and/or public presentation.

**7. Presiding Officer**

The Supervisor shall preside at Town Board meetings. In the absence of the Supervisor, the Deputy Supervisor, if present; if not, the member of the Board present with the longest service shall be temporary chairman of the meeting.

**8. Conduct of Meetings****A. Order of Business**

- 1) Public Participation - The meeting shall be open to hear from members of the Public who have applied to the Town Clerk to speak. They must have a specified topic and indicate the length of time. They should be cautioned not to be repetitive.
- 2) The meeting shall be called to order at the appointed time.
- 3) The next order of business shall be the Pledge of Allegiance, which shall be led by the Supervisor or designated Town Board member.
- 4) The roll will then be called.
- 5) Next is approval of minutes of previous meeting.
- 6) For organizational meetings, the Supervisor shall make his committee appointments, and other appointments as designated by statute.
- 7) The Town Clerk shall then read all communications received by the Town, or any Town officer, which is relevant to Town business, or by the Clerk, and furnish copies to the members of the Board upon request. It shall not be necessary to read notices (except legal notices), invitations, advertisements or business solicitations, but they may, at the discretion of the Clerk, be summarized. The Supervisor shall then entertain a motion for proper disposition of the communications.
- 8) The various committees shall then render their reports. Heads of Departments will render their reports, as approved by the Committees.
- 9) Next are Agenda Items by Order of the Board.
- 10) Next are unfinished business and motions. These items will be considered under the heading of the appropriate committee. If not a committee item, the item shall be considered under the general category.

**RESOLUTION:  
RULES OF  
PROCEDURE  
FOR 2008**

- 11) The abstract of claims and expenditures will be reviewed. The abstract of claims and expenditures shall be supported by vouchers authorized by each department head. The major or unusual claims in each category shall be read aloud by the Chairman of the committee having jurisdiction. It shall not be necessary to read aloud expenditures for ongoing expenses like utilities, payroll, or items which were subject to contract or bidding procedures.
- 12) The abstracts will be approved, and the expenditures and claims therein shall be authorized.
- 13) Adjournment closes the meeting.

#### **B. Agenda**

No matter shall be considered by the Board unless it is on the agenda. The Clerk shall prepare the agenda and shall make the agenda available to each member of the Town Board not less than two (2) business days before the meeting, counting the day of the meeting. No matter shall thereafter be added to the agenda without the affirmative vote of a majority of the Town Board, except that each Committee Chairperson may place on the agenda one item without the action of the Town Board.

#### **C. Adjournments and recesses during the Meeting.**

In the event that any member of the Town Board, including the Supervisor, shall desire to interrupt the business of the meeting or leave the table during the meeting, as soon as may be convenient, the member shall make motion for recess or adjournment. A motion for recess shall be a period not to exceed ten (10) minutes and shall take precedence over all other motions. A motion for adjournment is made for a period longer than (10) minutes, or to enter executive session, or some other time or place shall be made if a motion for recess would be inadequate. In the event that no motion is made, any member of the Town Board or the Supervisor shall leave the meeting or the table, with the balance of the members in attendance continuing the meeting or making a motion to adjourn. If there is no Supervisor or Deputy Supervisor or acting presiding officer, said motion shall become effective if properly seconded and on the affirmative vote of the members still at the meeting or at the table.

#### **D. There shall be no smoking during the meeting.**

#### **E. Resolutions and Motions.**

- 1) All resolutions and motions shall be governed by the Town Law of the State of New York.
- 2) All resolutions shall be in writing and submitted to the Town Clerk in time to be listed on the agenda.
- 3) Any motion or resolution not on the agenda may be added to the agenda only by a majority vote of the Town Board, EXCEPT each Chairperson of a Committee may add 1 item without Board approval.

#### **RESOLUTION: RULES OF PROCEDURE FOR 2008**



- 4) No motion (except to amend, table, recess or adjourn) or resolution shall be acted on unless it is on the agenda or properly added to the agenda, EXCEPT each Chairperson of a Committee may add 1 item without Board approval.
- 5) There shall be no discussion of a motion or resolution unless properly made and seconded.
- 6) When a question is under debate, no motion shall be entertained unless for recess or adjournment of the Board, to call the question, to table the question, or to amend. These motions shall have precedence in the order in which they are stated and shall not be subject to debate.
- 7) A motion or a motion for adopting a resolution may be placed on the table by a majority vote, and a majority vote will be necessary to take it off the table.

### **Executive Session**

On motion of any member, duly seconded and carried by a majority vote, the Board shall go into executive session, presided over by the Supervisor, during which time any matters permitted by law may be discussed and debated, but no action may be taken thereon by motion or resolution, except on a motion to terminate the executive session. The motion for executive session shall state the reason for the executive session. Only members of the Board shall participate in the executive session, except such other persons as the Board deems necessary may be called into the session.

**RESOLUTION:  
RULES OF  
PROCEDURE  
FOR 2008**

### **9. Committees**

Committees shall be appointed and serve at the pleasure of the Supervisor. The Supervisor in his/her discretion may add one or more advisors to each Town Committee to take advantage of the expertise of the residents of the Town.

### **10. Minutes**

The minutes of the Town Board shall be maintained in writing and made available to the members not later than 2 weeks after the meeting.

### **11. Public Participation**

All meetings of the Town Board, except executive sessions, shall be open to the public but no person attending the meetings shall have the right to address the Board or participate except at public hearings or at the public participation time pursuant to the rules adopted without the permission of the Board. All persons attending a Town Board Meeting or Public Hearing shall sign their name legibly on a list provided and shall, opposite their name, set forth their address.

**12. Correspondence**

The Supervisor and all Town Board members shall immediately file all correspondence relative to any business of the Town with the Town Clerk, who shall place same on the agenda of the next following meeting.

**13. Conduct of Public Hearing:**

Persons appearing at a public hearing shall:

- a) Sign in on the appropriate sheet provided.
- b) When recognized by the presiding officer, state clearly for the record, their name, address, and if the hearing involves a specific location, the location of their property before making their presentation.
- c) The person appearing shall present his/her views in a concise non-repetitive statement. Time shall be limited to three minutes unless the person appearing shall state how many minutes he or she shall require. No one may have over 10 minutes for his/her presentation without stating the reason for the requirement and after receiving Board approval. Questions and answers are not to be counted as a part of the presentation. The chair shall recognize persons wishing to reaffirm a certain viewpoint but shall curtail the presentation if it appears the person is becoming repetitive.
- d) Before closing the hearing, the presiding officer shall ask if there are any more comments and shall check with the Town Clerk for written communication concerning the subject of the hearing.
- e) All proponents of a subject of Public Hearings must have filed in the Town Clerk's Office a separate and complete set of papers for public review not later than the day the publication first appears.

Date Approved: January 3, 2008

- 11. Motion was made by Dave Nussbaumer to approve the following Purchasing Policy for 2008, which has been revised from 2007.

Second: Ken Miller

Vote: 5 ayes. Carried.

**MTN: APPRV  
PURCHASING  
POLICY &  
PROCEDURES**

**Town of Palmyra, New York  
Policy and Procedures for Purchases Less than Bid Procurements**

In order to comply with General Municipal Law Section 104b "Procurement Policies and Procedures for Non-Bid Procurements" this resolution is set forth to be known as: Policy and Procedures for Purchases Less than Bid Procurements.

**General Method of Purchasing:**

Any employee or Board member shall present a request to the Town Board of the Town of Palmyra who shall accept or deny the request as a matter of record in the

board minutes. An explanation of denial will be written as part of the Town Board minutes. The original request will be kept by the Town Clerk as documentation for action taken for procurements.

**Items Exempt From Purchase Order Request Form:**

Food for workers during emergencies

**Purchases Exempt from Prior Town Board Approval:**

Purchases less than \$200.00 in value, provided the purchase amount to be expended is included in the current year's budget.

**METHOD OF COMPETITION FOR NON-BID PROCUREMENTS**

Purchase Contracts Below \$10,000	Verbal Quotes		Written Quotes	
	1	2	2	3
\$200 -- \$1,000	X			
\$1,000 -- \$2,999		X		
\$3,000 -- \$4,999			X	
\$5,000 -- \$10,000				X

**PURCHASING  
POLICY &  
PROCEDURES**

Contracts for Public Works Below \$20,000	Verbal Quotes		Written Quotes	
	1	2	2	3
Under \$3,000	X			
\$3,000 -- \$9,999			X	
\$10,000 -- \$19,999				X

<b>Other Purchases:</b>	Insurance -	Board Approval
	Emergencies -	Board Approval
	Professional Services -	Board Approval
	Sole Source -	Board Approval

**Awards to other than low bidder:**

Where quotations for pricing are obtained and other than low bid is made, documentation will be in the Town Board minutes. The best interest of the taxpayers is to be the ultimate goal.

**Review:**

Comments from Employees and Board members may be solicited and the Policy and Procedures for Purchasing be reviewed at least annually.

**Failure to Comply:**

The failure to fully comply with the provisions of this resolution shall not be grounds to void any action taken, or give rise to a cause of action against the Town of Palmyra or any officer or employee thereof.

**MTN: APPROVE  
INVESTMENT  
POLICY**

12. Motion was made by Dave Nussbaumer to approve the following Investment Policy for 2008:

Second by: Ken Miller

Vote: 5 ayes. Carried.

**INVESTMENT POLICY FOR  
TOWN OF PALMYRA  
JANUARY 2008**

**I. SCOPE**

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

**II. OBJECTIVES**

The primary objectives of the local government's investment activities are, in priority order,

- (legal) to conform with all applicable federal, state and other legal requirements;
- (safety) to adequately safeguard principal;
- (liquidity) to provide sufficient liquidity to meet all operating requirements; and
- (yield) to obtain a reasonable rate of return.

**III. DELEGATION OF AUTHORITY**

The governing board's responsibility for administration of the investment program is delegated to the Town Supervisor, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

**IV. PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Palmyra to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal, as well as the probable income to be derived.

**INVESTMENT  
POLICY**

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**V. DIVERSIFICATION**

It is the policy of the Town of Palmyra to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

**VI. INTERNAL CONTROLS**

It is the policy of the Town of Palmyra for all moneys collected by any officer or employee of the government to transfer those funds to the Town Supervisor within 45 days of deposit, or within the time period specified in law, whichever is shorter.

**VII. DESIGNATION OF DEPOSITORIES**

<u>Depository Name</u>	<u>Maximum Amount</u>	
HSBC Bank	Not Applicable	
J.P. Morgan/Chase	"	"
M & T Trust Company	"	"
Key Bank	"	"
Bank of America	"	"
Chemical Bank	"	"
Community Bank, N.A.	"	"
Charter One Bank	"	"
Citizens Bank	"	"

**INVESTMENT  
POLICY**

**VIII. COLLATERALIZING OF DEPOSITS**

In accordance with the provisions of General Municipal Law, ss10, all deposits of Town of Palmyra, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. by a pledge of "eligible securities" with an aggregate "market value" as provided by GML ss10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. by an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government, for a term not to exceed 90 days, with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed-upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

3. by an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

**IX. SAFEKEEPING AND COLLATERALIZATION**

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits, together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released, and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer, or with an assignment in blank to the Town of Palmyra or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**X. PERMITTED INVESTMENTS**

As authorized by General Municipal Law, ss11, the Town of Palmyra authorizes the Supervisor to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- special time-deposit accounts;
- certificates of deposit;
- obligations of the United States of America;
- obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;

**INVESTMENT  
POLICY**

- obligations issued pursuant to LFL ss24.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Palmyra;
- obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities, or whose specific enabling legislation authorizes such investment or investments;
- Certificates of Participation (COPs) issued pursuant to GML ss109-b;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML ss6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Palmyra within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Palmyra within two years of the date of purchase.

#### **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

The Town of Palmyra shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Palmyra. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

#### **INVESTMENT POLICY**

#### **XII. PURCHASE OF INVESTMENTS**

The Supervisor is authorized to contract for the purchase of investments:

- Directly, including through a repurchase agreement, from an authorized trading partner.
- By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
- By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold

or presented for redemption or payment by such authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Palmyra by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, ss10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

**INVESTMENT  
POLICY**

**APPENDIX A**

**SCHEDULE OF ELIGIBLE SECURITIES**

- \_\_\_\_\_ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States governmental sponsored corporation.
- \_\_\_\_\_ (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- \_\_\_\_\_ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- \_\_\_\_\_ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.



- \_\_\_\_\_ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally-recognized statistical rating organization.
- \_\_\_\_\_ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- \_\_\_\_\_ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- \_\_\_\_\_ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- \_\_\_\_\_ (ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- \_\_\_\_\_ (x) Commercial paper and bankers' acceptance issued by a bank, other than the Bank, rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 40 days from the date they are pledged.
- \_\_\_\_\_ (xi) Zero-coupon obligations of the United States government marketed as "Treasury strips."

**INVESTMENT  
POLICY**

Duly moved and carried by the Town Board of the Town of Palmyra  
On January 3, 2008

13. Motion to approve the following holidays for Town employees for 2008, retroactive to January 1, 2008, was made by Ken Miller:

- |                           |    |                                     |
|---------------------------|----|-------------------------------------|
| 1. New Year's Day 2008    | -- | Monday, January 1 <sup>st</sup>     |
| 2. President's Day        | -- | Monday, February 18 <sup>th</sup>   |
| 3. Memorial Day           | -- | Monday, May 26 <sup>th</sup>        |
| 4. Independence Day       | -- | Friday, July 4 <sup>th</sup>        |
| 5. Labor Day              | -- | Monday, September 1 <sup>st</sup>   |
| 6. Columbus Day           | -- | Monday, October 13 <sup>th</sup>    |
| 7. Veteran's Day          | -- | Tuesday, November 11 <sup>th</sup>  |
| 8. Thanksgiving Day       | -- | Thursday, November 27 <sup>th</sup> |
| 9. Day after Thanksgiving | -- | Friday, November 28 <sup>th</sup>   |
| 10. Christmas Day         | -- | Thursday, December 25 <sup>th</sup> |

**MTN: APPROVE  
2008 HOLIDAYS**

Second by: Dave Nussbaumer                      Vote: 5 ayes. Carried.

- 14. Motion was made by Mike Lambrix to authorize the following people to sign checks for the Town of Palmyra:

**MTN:  
AUTHORIZE  
SIGNING OF  
CHECKS**

David C. Lyon – OR – David Nussbaumer

Second: Ken Miller

Vote: 5 ayes. Carried.

**MTN: SET  
1/24/2008 MTG  
TO AUDIT 2007  
BOOKS OF  
JUSTICES,  
CLERK &  
SUPERVISOR**

- 15. Motion by Mike Lambrix to set January 24, 2008 as the date for auditing the 2007 books of Justice Abbott, Justice Rodman, the Town Clerk, and the Supervisor.

Second: Dave Nussbaumer

Vote: 5 ayes. Carried.

- 16. Emergency Equipment Purchase: On Friday, December 28, 2007, on a plowing/sanding run, the oldest sander broke down. This sander was scheduled for replacement in the 2008 budget, but it is now beyond repair, according to Highway Superintendent Mike Boesel. He requested 4 quotes. One opted not to bid, one didn't quote, and two quotes were received. Both estimates fall just under the amount allocated for its replacement in the budget. Since there is not a spare sander in the fleet, Mike made the request that the board approve his emergency purchase request of a High Capacity, 13-foot, 304 Stainless Steel Smith Spreader, delivered to the Town, at a cost of \$13,980. After some discussion, a motion was made by Dave Nussbaumer to approve the following resolution:

**MTN: APPROVE  
RESOLUTION TO  
PURCHASE  
SANDER FOR  
HIGHWAY  
DEPARTMENT**

**RESOLUTION**

**EMERGENCY PURCHASE OF SANDER  
FOR HIGHWAY DEPARTMENT**

WHEREAS, the Town Highway Superintendent has reported that one of the sanders on a Town truck snowplowing route has broken beyond reasonable repair and the Town is unable to sand and salt the roads on the route, and

WHEREAS, this was an unforeseen emergency, and

WHEREAS, the Town needs to be able to sand and salt the roads on the route for the safety and welfare of the residents who are forced to travel over those roads and the school buses that use those roads, and

WHEREAS, the Highway Department can ill afford to operate in the snow season without the equipment necessary to make the route safe, and

WHEREAS, if the Town were to bid the purchase of a replacement sander, it would mean that the Town would be unable to care for the safety of the people on the snowplowing route until sometime in early March or later, and

WHEREAS, there are no other sanders available to be used by the Town, and

WHEREAS, due to the amount of the snowfall that is falling this year and the amount of snowfall predicted, the Town must take immediate action to replace the sander, and

WHEREAS, there is no ability to wait;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby declare an emergency situation in the Highway Department, and

BE IT FURTHER RESOLVED, by virtue of the possible danger to safety and the well-being of the people of the Town of Palmyra, the bidding process for a new sander is out of the question, and

BE IT FURTHER RESOLVED, that the Highway Superintendent is authorized to purchase, as soon as possible, a sander to replace the broken sander without complying with the bidding regulations, and

BE IT FURTHER RESOLVED, that the Highway Superintendent shall solicit phone bids as to price and delivery from suppliers of sanders, and shall select the sander that most nearly compliments the existing sander as to size, operation and material handling used by the Town, which is available for the lowest price received by phone, and

BE IT FURTHER RESOLVED, that the Highway Superintendent is not authorized to expend more than \$14,000.00 to replace the sander, and

BE IT FURTHER RESOLVED, that the Town Board shall approve a purchase offer for a sander from the Highway Superintendent based on the Highway Superintendent's report on the costs and delivery dates which he has obtained, and the reason he selected the provider and the sander in the purchase order.

**RESOLUTION TO PURCHASE SANDER FOR HIGHWAY DEPARTMENT**

Second: Mike Lambrix                      Vote: 5 ayes. Carried.

- 17. Development of Employee Handbook: The current Employee Handbook is quite a few years old. The present system of making changes/updates to the book has been less than satisfactory in practice. The Human Resources person, Petra Anderson, provided two written quotes to the town board for their consideration. One from Paychex of Rochester, and the other from PublicSector HR Consultants of Syracuse, were outlined and compared. Paychex's quote of \$3,725 was the lower bid, and provided the services and product that meets the town's needs. The board had previously approved \$3,750 in the 2008 budget for the cost of developing an employee handbook, so Paychex's quote was under budget. After the first year, there would be a

yearly cost of \$336 to update the handbook to meet changes requested by the town, Federal, and/or State to meet compliance guidelines.

**MTN: APPROVE  
PAYCHEX  
QUOTE FOR  
NEW EMPLOYEE  
HANDBOOK**

Discussion ensued concerning who would be writing it, and who would have the final decision on content and changes. Dave Nussbaumer made the motion to approve Paychex's quote, not to exceed \$4,000.

Second: Jim Welch

Vote: 4 ayes. Carried.  
Mike Lambrix voted Nay.

**INFORMATIONAL ITEMS**

1. Association of Towns Annual Meeting: Information was received concerning the Association of Towns' 2008 Training School and Annual Meeting in New York City. At the Business Session, proposed resolutions for the Association of Towns (AOT) to consider in their lobbying efforts require authorized delegates to vote. Issues and legislation important to towns are proposed for this lobbying. Without a delegate to represent Palmyra, the town's interests are not addressed.

**MTN: APPROVE  
MACEDON  
TOWN CLERK TO  
REPRESENT  
PALMYRA AT  
ASSOCIATION  
OF TOWNS 2008  
ANNUAL  
MEETING**

Town Clerk, Lynne Green, gave each board member a 2008 Proposed Legislative Program so they could read the issues presented by the AOT. The motion was made by Dave Nussbaumer to appoint Macedon Town Clerk Judy Gravino to vote on Palmyra's behalf.

Second: Ken Miller

Vote: 5 ayes. Carried.

2. At 7:58 p.m., motion was made by Mike Lambrix to adjourn this 2008 Organizational Meeting of the Town Board.

**MTN: ADJOURN  
MEETING**

Second: Dave Nussbaumer

Vote: 5 ayes. Carried.

Respectfully submitted,

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Lyndall Ann P. Green  
Palmyra Town Clerk

**NEXT REGULAR MEETING: THURSDAY, JANUARY 24, 2008, 7:30 P.M.  
AT THE PALMYRA TOWN HALL**