

**PUBLIC
HEARING FOR
CONSOLIDATED
AGRICULTURAL
DISTRICT**

3. Public Hearing for Consolidated Agricultural District: An announcement was received from the Wayne County Planning Department for a Public Hearing on Wednesday, April 9, at 7 p.m. in Lyons, regarding the Eight Year Review of the Consolidated Agricultural District. Dave Lyon explained that the county is trying to combine four agricultural districts into one countywide district to streamline the administrative process.

**SEPTIC GRANTS
AVAILABLE
THROUGH
WAYNE COUNTY
S.W.C.D.**

4. Septic Grants Available: The Wayne County Soil and Water Conservation District (SWCD), in cooperation with the Water Quality Coordinating Committee, announce that small grants are available to assist low-income homeowners with the repair of failing septic systems. These grants are made possible through a NYS Grant secured by Assemblyman Robert C. Oaks. Applications are available, as well as more information about the grants, by calling the SWCD at 315-946-4136.

REPORTS OF STANDING COMMITTEES

Buildings and Grounds Committee – Kenneth Miller, Chairman

**BUILDINGS AND
GROUNDS
REPORT**

Ken Miller reported there was an emergency call for heating this month which was quickly taken care of. One of the new trees in front of Town Hall has not survived the winter and will be taken care of by the Village Parks crew in the Spring. The Cintas agreement will be revisited in April.

Highway Committee – James Welch, Chairman

**HIGHWAY
DEPARTMENT
MONTHLY
REPORT**

1. Highway Department Monthly Report: In his report for March, Highway Superintendent Mike Boesel outlined projects his crew has worked on during the month:

Highway Superintendent Report
For Town Board Meeting of 3/27/2008

Since the 2/28/08 meeting we have completed the following work:

- Brush mowing – Hogback, Palmer, Port Gibson, Garnsey Roads
- Pothole patching – all roads reviewed several times in past month
- Salt – Received all orders finally
- Equipment Servicing – E60 and E61 roller, E56 drott, E52 sweeper, E55 sweeper, E64 mower, all trucks
- Plowing/Sanding runs on 13 of the past 28 days and a total of 98 trips out of the barn this winter season. Last year at this time we were up to 115 trips.

Other miscellaneous items include:

- Village Budget – I have been working on the 08-09 Village Budget. We have had three budget sessions and the Public Hearing none of which were attended by any taxpayers. Tax Rate set at \$12.73.
- SMSI Grant – We should be hearing back regarding our application anytime still. I understand the Department of State has received 241 Shared Municipal Service Incentive (SMSI) Grant applications requesting a total of \$51,719,126, almost four times the \$13.7 million available for Shared Services projects in the 2007-2008 budget. Their website indicates that the Secretary of State will announce the grant awards by early spring.
- Advocacy Day Update – I went to Albany on 3/4 and 3/5 with about 450 other Superintendents from around NYS for our annual Lobby Day for more CHIPs funding. At the moment the Senate and Assembly restored our CHIPs at last years level, but the new Gov. wants to cut \$800 million of the budget.
- Roadside Cleanup – We have had a rash of tire dumpings around the Town, particularly on Vault Road, S.Townline/Faas Road, Floodman/Palmer Roads and Jagger Road. Attached are some pictures of the tires on Vault Road. Sheriff's reports were filed for several of these instances. 7.91 tons of tires.
- Personnel Health Update –
 - Scott Moulton failed a stress test on 1/28. He was sent to Strong and received stents. He was out of work for approximately 2 weeks. Last week he went back in for tests and received another stent and some of the previously installed ones were re-worked. He was out most of last week.
 - Bill Austin, Mike Paul, Karen Yantz and myself have all been out sick for several days with the flu over the past two weeks.
 - WC Hearing Tests – the entire crew had our annual Hearing Tests at WC Highway on 3/11/08.
- Training –
 - The entire crew attended a free Dig Safely New York excavator seminar on 3/13/08.

**HIGHWAY
DEPARTMENT
MONTHLY
REPORT**

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

**HIGHWAY CREW
COLLECTS 8
TONS OF
DUMPED TIRES**

Mike added that someone has dumped tires on various roads around town. The Highway Department crews used their equipment to collect 8 tons of used tires. They also filed a Sheriff's report, as well as with the local Police Department. Dave Nussbaumer wanted to know if the public is aware of this, and that they could help to watch for people dumping tires. Jim Welch wanted to know what the cost of this cleanup might be. Mike said they pay 8 cents per pound to have tires disposed of, in addition to the use of the Highway crew's labor and equipment. Many of the tires were slashed, indicating the dumpers wanted to pull the rims off the tires quickly by slashing them. Photographs of some of these tires were provided to town board members.

Mike reminded the board of the May 10th municipal auction, and announced he would have a list of surplus items at the April town board meeting.

- 2. Purchase Request for Skid Steer Loader: Mike requested board approval for the purchase of a new skid steer loader (Bobcat) to replace one he would like to include in the municipal auction. After some questions and discussion, Jim Welch made the motion to approve the purchase, not to exceed \$25,816.00.

**MTN:
PURCHASE SKID
STEER LOADER
FOR HIGHWAY
DEPARTMENT**

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

Planning and Economic Development Committee – Michael Lambrix, Chairman

**PLANNING
BOARD MINUTES
READ BY TOWN
BOARD**

Minutes of the Town Planning Board committee meeting of March 10, 2008 were read by Town Board members. There were no comments or questions concerning the minutes.

Zoning Committee – David Nussbaumer, Chairman

- 1. CEO Report: Code Enforcement Officer Bob Grier submitted his monthly report summarizing activity through March 27. The question was raised as to why there were 3 1/2 pages of open and unresolved complaints on the list. Bob noted that 70% were in the village, with 30% of those being multi-violations issued to one property owner. About 250 multi-family inspections are conducted each year.

**CEO REPORT
FOR MARCH**

- 2. Update on Nuisance Properties: The two Blackburn properties on North Creek Road have been foreclosed by the bank that owned the mortgage. They have contracted with Tom Berry to clean up both properties. The vacant lot is assessed at around \$13,000, and the lot with the house is a separate property. Since the cleanup is extensive, the town is very lucky that it is being done by the bank.

The 936 Garnsey Road property has no new progress in its cleanup. It has been very cold and snowy recently. An agreement was drawn up during March using the parameters agreed to by Edward Christopherson at the January town board meeting. He received a copy of the agreement and has until April 1st to respond. His sister, property owner Karen L. Christopherson, who lives in Cape Vincent, has been sent the agreement also. We are awaiting a response from her. Copies of the agreement were passed out to town board members.

**NUISANCE
PROPERTIES
UPDATE**

The Agreement for 936 Garnsey Road cleanup is included with these minutes as Attachment A.

**936 GARNSEY
ROAD
AGREEMENT IS
ATTACHMENT A**

Dave Nussbaumer asked about the Dibert property on North Creek Road. Bob Grier understands that Dibert has submitted an offer to purchase the old Plassche lumber property at the West end of North Creek Road. Bob added that a Special Use Permit is still required to have an auto salvage yard in an industrial area.

INFORMATIONAL ITEMS

- 1. Town Clerk's Office Report for March: Final tax payments are due by month end for Town/County tax collection. Also, March is the month for Palmyrans to make their town water payments. These are in addition to the increased dog licenses and license renewals experienced at the counter. The dog enumerator has begun his census around town. We are working closely with Gary Rose, the Animal Control Officer, to keep up with the changes and new licenses as they occur. Work on shelves was done in the Archives Rooms. In order to update the Palmyra web site, all past approved town board meeting minutes have been converted into the PDF format. This format is a "read only" format so no changes or tampering can be made to the document.

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

**2007 TOWN
FINANCIAL
REPORT
AVAILABLE FOR
REVIEW**

- 2. 2007 Town Financial Report: The 2007 Financial Report of the Town has been completed. A copy is available for public review in the Town Clerk's office. In addition, legal notices have been published in the town's official newspapers, as required by law.

AGENDA ITEMS

- 1. 2008 Agreement--Town, Village and Palmyra Community Center: The following agreement for financial assistance to the Palmyra Community Center in 2008, from both the town and village was presented for approval:

AGREEMENT

**TOWN OF PALMYRA, VILLAGE OF PALMYRA
& PALMYRA COMMUNITY CENTER, INC.
JANUARY 1, 2008 - DECEMBER 31, 2008**

AGREEMENT made this **27th day of March, 2008**, 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:

**2008
AGREEMENT
BETWEEN
TOWN, VILLAGE
AND PALMYRA
COMMUNITY
CENTER FOR
FINANCIAL
ASSISTANCE**

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, 2008**. 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 2007** for the purpose of establishing the amount of support needed from the Town and the Village for the Community Center in the year **2008** 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 **2008** 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 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, 2008** 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 **2008**.
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 has 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.

**2008
AGREEMENT
BETWEEN
TOWN, VILLAGE
AND PALMYRA
COMMUNITY
CENTER FOR
FINANCIAL
ASSISTANCE**

AGREEMENT made this **27th day of March, 2008**, by and between the TOWN OF PALMYRA, a municipal corporation located in the County of Wayne and State of New York, hereinafter referred to as "the Town" and PALMYRA KINGS DAUGHTERS FREE LIBRARY, INC., a membership corporation with office and principal place of business located in the Town of Palmyra, County of Wayne, and State of New York, hereinafter referred to as "the Library".

WITNESSETH:

WHEREAS, the Library is a free library operated for the benefit of all of the residents of the Town of Palmyra who conform to the rules and regulations of its use established by the Library; and

WHEREAS, the Library is in need of funds to provide service to the residents of the Town of Palmyra; and

WHEREAS, the Town is desirous of furnishing and assisting in furnishing free library service to the residents of the Town of Palmyra;

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

1. The Library shall furnish the usual library services and make the same available to all of the residents of the Town of Palmyra pursuant to the rules and regulations adopted by the Board of Trustees of the Library for a period of one (1) year beginning on the **1st day of January, 2008, and terminating on the 31st day of December, 2008, inclusive.**
2. That in consideration of the rendering of said service by the Library, the Town Board hereby agrees to pay to the Library for services rendered for one (1) year the sum of **Twenty-three Thousand Two Hundred Fifty Dollars (\$23,250.00)**. Said sum is to be paid in equal quarterly installments on or before the 30th day of March, June, September, and December during the year **2008**. Said payments shall not commence until after the adoption and approval of the terms of this contract and its ratification by the Board of the Library and the Town Board of the Town. In the event that for any reason library service is discontinued, then in that event, the Library shall in any year in which payment has been received repay the Town the sum of One Thousand Nine Hundred Thirty-Seven Dollars and 50/100 (\$1,937.50) for each month remaining in said calendar quarter in which the Library shall not furnish free library service to the residents of the Town of Palmyra. Said payment to the Library pursuant to the terms of this contract shall be made pursuant to a voucher executed by an officer of the Library designated by a Resolution to sign such voucher filed with the Town.
3. This Agreement shall automatically be renewed on a year-to-year basis unless either party to this contract shall give written notice to the other party of its desire to terminate, amend, or modify this contract on or before September 5th of any calendar year.

**2008
AGREEMENT
BETWEEN TOWN
AND PALMYRA
KINGS
DAUGHTERS
FREE LIBRARY,
INC.**

IN WITNESS WHEREOF, the parties hereto have caused their hands and seals to be affixed the year and day first above written.

**MTN: APPROVE
2008
AGREEMENT
BETWEEN TOWN
AND PALMYRA
KINGS
DAUGHTERS
FREE LIBRARY**

Signing for the **TOWN OF PALMYRA**: Town Clerk, Supervisor and Town Board Members

Signing for the **PALMYRA KINGS DAUGHTERS FREE LIBRARY, INC.:** Secretary & President, Board of Trustees

Mike Lambrix made the motion to approve the 2008 agreement for financial assistance between the Town and the Palmyra Kings Daughters Free Library.

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

- 3. Resolution--Proposed NY State Property Taxpayers Protection Act: A letter and sample resolution were received from James N. Tedisco, Minority Leader in the New York State Assembly, asking for support from the Palmyra Town Board for a tax relief plan to be enacted into law now. If passed, Palmyra would join municipalities across the state endorsing the Property Taxpayers Protection Act. With people and businesses departing the state in record numbers, leaving local governments with dwindling tax bases, this tax relief package for localities was introduced in the Assembly. Palmyra Town Board members read over the following Resolution:

RESOLUTION
NEW YORK STATE PROPERTY TAXPAYERS PROTECTION ACT

WHEREAS, the tremendously high property tax burden on New York families and businesses is the Number One issue facing our community today, and the sheer cost of living in New York has forced many residents and businesses to leave, thus slowing the economic engine of the state; and

WHEREAS, Young people are finding it difficult to purchase homes, Seniors are struggling to maintain their homes, and businesses are facing immense challenges to create and retain jobs; and

WHEREAS, New Yorkers face the highest property taxes in the nation, and when measured as a percentage of home value, nine of the top ten property tax rates in the entire country belong to counties in New York; and the State must act now to thwart the detrimental effects that high property taxes are having on local governments; and

**PROPOSED
RESOLUTION:
NY STATE
PROPERTY
TAXPAYERS
PROTECTION
ACT**

WHEREAS, Assembly Minority Conference Members have introduced the "New York State Property Taxpayers Protection Act" (Assembly Bill 8775-A), which puts forth new and innovative ideas for property tax reform that limit the amount school districts can raise annually through local tax levies to four percent or the rate of inflation, whichever is less; in addition, the Act would relieve municipalities and school districts of unfunded mandates, reduce county Medicaid costs, strengthen financial accountability over school tax dollars, promote local government efficiency, and encourage local option insurance pooling; and

**PROPOSED
RESOLUTION:
NY STATE
PROPERTY
TAXPAYERS
PROTECTION
ACT**

WHEREAS, The "New York State Property Taxpayers Protection Act" will help fix New York's broken property tax system, providing homeowners, businesses and municipalities significant and lasting relief from the crushing burden of skyrocketing property taxes; and now,

BE IT RESOLVED, That this Legislative Body pause in its deliberations to acknowledge New York State's property tax crisis and urge the immediate passage and chaptering of the "New York State Property Taxpayers Protection Act," which will help local governments reinvigorate New York's economy by providing incentives for people and businesses to move and stay here; and

BE IT FURTHER RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to the Governor of the State of New York, the Temporary President of the New York State Senate, the Speaker of the New York State Assembly, and to each member of the New York State Legislature.

Dated: March 27, 2008
TOWN BOARD OF THE TOWN OF PALMYRA

Mike Lambrix made the motion to approve the resolution for the Proposed New York State Property Taxpayers Protection Act.

Second: Dave Nussbaumer Vote: 5 Ayes. Carried.

**MTN: APPROVE
RESOLUTION
FOR PROPOSED
NYS PROPERTY
TAXPAYERS
PROTECTION
ACT**

The Supervisor and all Town Board members signed the resolution.

4. Bond Resolution: Southwest Quadrant Sewer District:

Michael Lambrix presented the following resolution and duly moved that it be adopted, and was seconded by David Nussbaumer:

BOND RESOLUTION DATED MARCH 27, 2008, AUTHORIZING GENERAL OBLIGATION BONDS OF THE TOWN OF PALMYRA TO FINANCE SEWER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE

**MTN: APPROVE
BOND
RESOLUTION
FOR
SOUTHWEST
QUADRANT
SEWER
DISTRICT**

TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town of Palmyra Southwest Quadrant Sewer District is a Sewer District of the Town of Palmyra, New York, duly established by the Town Board pursuant to the Town Law;

WHEREAS, the cost of the improvements authorized will not exceed the cost thresholds that require approval of the Office of the State Comptroller;

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on October 25, 2007, has duly issued a negative declaration and has determined that the implementation of the unlisted action as proposed will not result in any significant adverse environmental impacts;

WHEREAS, the Town has duly complied with the requirements of the State Environmental Quality Review Act and the applicable regulations thereunder of the State of New York, now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF PALMYRA, NEW YORK, (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

**BOND
RESOLUTION
FOR
SOUTHWEST
QUADRANT
SEWER
DISTRICT**

Section 1. The Town of Palmyra shall undertake the acquisition and construction of sewer improvements for the Southwest Quadrant Sewer District, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$228,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$549,800 and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide (i) up to \$228,000 from a USDA Rural Development loan to be evidenced by the issuance of bonds or bond anticipation notes as herein authorized; and (ii) up to \$321,800 from anticipated grant funds.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Palmyra.

Section 7. The faith and credit of the Town of Palmyra, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Palmyra together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

**BOND
RESOLUTION
FOR
SOUTHWEST
QUADRANT
SEWER
DISTRICT**

Section 9. This resolution shall take effect immediately upon its adoption.

**BOND
RESOLUTION
FOR
SOUTHWEST
QUADRANT
SEWER
DISTRICT--ROLL
CALL VOTE**

The motion having been duly seconded, it was adopted and the following votes were cast:

Supervisor David Lyon	AYE	
Councilman David Nussbaumer	AYE	
Councilman Michael Lambrix	AYE	
Councilman James Welch	AYE	
Councilman Kenneth Miller	AYE	Motion carried.

- 5. Loan Resolution--Southwest Quadrant Sewer District: A resolution was presented to the Town Board authorizing and providing for the incurrence of indebtedness for the purpose of providing portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its Sewer facility to serve an area lawfully within its jurisdiction. It is necessary for the Town of Palmyra to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of \$228,000.00.

Dave Nussbaumer moved that the Loan Resolution adopted for the Southwest Quadrant Sewer District, and was seconded by Michael Lambrix. The following votes were cast in the Roll Call vote:

**MTN: LOAN
RESOLUTION
FOR
SOUTHWEST
QUADRANT
SEWER
DISTRICT--ROLL
CALL VOTE**

Supervisor David Lyon	AYE	
Councilman David Nussbaumer	AYE	
Councilman Michael Lambrix	AYE	
Councilman James Welch	AYE	
Councilman Kenneth Miller	AYE	Motion carried.

A copy of the Southwest Quadrant Sewer District Loan Resolution is included with these minutes as Attachment B.

- 6. Bond Resolution: Johnson-Floodman Water District:

**MTN: APPROVE
BOND
RESOLUTION
FOR JOHNSON-
FLOODMAN
WATER
DISTRICT**

Michael Lambrix presented the following resolution and duly moved that it be adopted, and was seconded by Ken Miller:

BOND RESOLUTION DATED MARCH 27, 2008 AUTHORIZING GENERAL OBLIGATION BONDS OF THE TOWN OF PALMYRA TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town of Palmyra Johnson-Floodman Water District is a Water District of the Town of Palmyra, New York, duly established by the Town Board pursuant to the Town Law;

WHEREAS, the cost of the improvements authorized will not exceed the cost thresholds that require approval of the Office of the State Comptroller;

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on October 25, 2007, has duly issued a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts ; now therefor, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF PALMYRA, NEW YORK, (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Palmyra shall undertake the acquisition and construction of water improvements for the Town of Palmyra Johnson-Floodman Water District, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$633,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$1,124,000 and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide (i) up to \$633,000 from a USDA Rural Development loan to be evidenced by the issuance of bonds or bond anticipation notes as herein authorized; and (ii) up to \$491,000 from anticipated grant funds.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

**BOND
RESOLUTION
FOR JOHNSON-
FLOODMAN
WATER
DISTRICT**

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Palmyra.

Section 7. The faith and credit of the Town of Palmyra, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Palmyra together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

**BOND
RESOLUTION
FOR JOHNSON-
FLOODMAN
WATER
DISTRICT**

**MTN: ADJOURN
MEETING**

9. Motion to Adjourn: At 8:04 p.m., Mike Lambrix made the motion to adjourn the meeting.

Second: Dave Nussbaumer

Vote: 5 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green
Palmyra Town Clerk

ATTACHMENTS:

A: Agreement for Cleanup of 936 Garnsey Road, Palmyra

B: Southwest Quadrant Sewer District Loan Resolution

C: Johnson-Floodman Water District Loan Resolution

**NEXT MEETING:
THURSDAY, APRIL 24, 2008, AT 7:30 P.M.
EAST PALMYRA FIRE HALL**