



**COMMUNICATIONS**

VILLAGE & SCHOOL  
INVITE TOWN TO  
JOIN THEM IN  
STUDENT  
COMMUNITY  
SERVICE

High School Program of Community Service: Village Trustee Ken Bradstreet wrote the Town Board to invite them to participate in a Palmyra Village/Pal-Mac High School plan to provide community service work students. Ken Miller said he would be willing to meet with Ken Bradstreet concerning this.

**REPORTS OF STANDING COMMITTEES**

**Buildings and Grounds Committee – Kenneth Miller, Chairman**

FEBRUARY  
BUILDINGS &  
GROUNDS REPORT

Ken Miller reported that the basement had been worked on. The roof over the front offices will be examined again when it warms up, as there has been some water leaking from the ceiling in the Animal Control's/Historian's office recently.

Ken asked Mike Boesel if he would check with Petra Anderson to see what services the Village has contracted to provide at Town Hall, and to see what still needs doing.

**Highway Committee – James Welch, Chairman**

1. February Highway Department Report: Mike Boesel provided Town Board members a Highway Department Report:

Highway Superintendent Report  
For Town Board Meeting---2/26/2009

FEBRUARY  
HIGHWAY REPORT

Since the 1/22/2009 meeting we have completed the following work:

- Trucks/Equipment maintenance
- Plowing/Sanding –In the past 36 days we have made a total of 22 trips out of the barn. Season to date we have made 90 trips out of the barn. At this time last year we had made 78 trips.

Other miscellaneous items include:

- **SMSI Grant 07-08** – Equipment is starting to be delivered. Our Bucket Truck arrived on 2/24/09 and Street Sweeper is scheduled for delivery next Tuesday afternoon 3/3/09. The excavator is not expected to be delivered until April.

- **Economic Stimulus Project – FYI ONLY** - The Village of Palmyra was successful in getting Canandaigua Street/Rt.21 on the project list in the amount of \$1.4M. The project needs to be started within the next 120 days.
- **Geotilities** – The presentation seen tonight by Rocco Venezia has already been seen by the Villages of Palmyra and Macedon, and reps from PMCS D and WCW&SA. Representatives from the Town of Macedon will also be seeing this soon. I have always felt we have a huge need for updated mapping. I see this as a potential joint venture.
- **Joint Ventures** - On 2/24/2009 I attended, along with Supervisor Lyon, a meeting at the Pal-Mac HS with representatives from the Village and Town of Palmyra, Village and Town of Macedon and PMCS D. This meeting was a continuation from a previous meeting to discuss ways we can work together, share costs, save taxpayers.
- **Palmyra Municipal Auction** – The date has been set for May 9, 2009.
- **Advocacy Day** – I will be attending our annual Advocacy Day on March 10<sup>th</sup> and 11<sup>th</sup> in Albany.
- **Equipment** –
  - **Bobcat Purchase** – I am asking permission to place the order for our new Bobcat S220. This was a budgeted item. There were no price increases from last year. Cost - \$25,816.00
  - **Sander Controls** – Trucks T18, T22, T28 and T14 have all been outfitted with new sander controls. Thank you.
  - **T14 Accident** – Truck T14 (Scott Moulton) was rear-ended and over \$3k damage was incurred on the sander. The truck was fine.
  - **Equipment Servicing** –Most trucks have been serviced in January. These past few weeks we have started to service/clean up some of our summer equipment as well as getting some other equipment ready for Auction.
  - **Auction Surplus List** - List Attached. I am also requesting Teitworth On-line Auction Services.

**FEBRUARY HIGHWAY  
REPORT**

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

- 2. Surplus List: In addition to his monthly report, Highway Superintendent Boesel made a list of miscellaneous items his department no longer needs. It is included in the Agenda Items for action later in this meeting.

**SURPLUS LIST,  
SMSI BUCKET  
TRUCK ARRIVES  
AND REQUEST TO  
PURCHASE NEW  
EQUIPMENT**

He also included with his report a photo of the recently-arrived Bucket Truck. This was part of the 2007-2008 SMSI Grant, and was a joint purchase with the Town of Macedon and the Town of Walworth.

- 3. Request to Purchase New Equipment: His request to purchase a 2009 Bobcat is included in the Agenda Items for action later in this meeting.

**Planning & Economic Development Committee – Mike Lambrix,  
Chairman**

**MORRISON  
QUARTERLY  
GRAVEL PAYMENT**

- 1. Quarterly Payment to Town: Morrison Excavating's quarterly payment for gravel removed from the Division Street pit for fourth quarter 2008 is \$119.50.

**NO PLANNING,  
ZONING BOARD  
MEETINGS IN  
FEBRUARY**

- 2. In the absence of Councilman Mike Lambrix, Dave Lyon stated there was no planning board meeting, nor zoning board meeting during the month of February.

**CEO REPORT FOR  
FEBRUARY**

**Zoning Committee – David Nussbaumer, Chairman**

CEO Report: February's CEO Report was distributed to Board members. Board members read it over without comment.

**ASSESSOR'S  
REPORT FOR  
FEBRUARY**

**INFORMATIONAL ITEMS**

- 1. Assessor's Report for February: Board members read over the Assessor's Report without comment.

- 2. Town Clerk's Report for February: Board members read over the Town Clerk's Report without comment.

**TOWN CLERK'S  
REPORT FOR  
FEBRUARY**

- 3. Board Audit of Supervisor's Financial Books: Town Bookkeeper, Petra Anderson, submitted a few items from the 2008 Financial Books of the Supervisor. Supervisor Lyon explained that the items were samples of the types of entries made during 2008, and that if any Board member wishes to see the Supervisor's books, he is welcome to come to the Supervisor's office and look through them.

**BOARD AUDIT OF  
SAMPLES OF  
SUPERVISOR'S  
FINANCIAL BOOKS  
FOR 2008**

At 8:32, Board members looked over the samples of financial records. At 8:36, the Board meeting continued.

Councilman Dave Nussbaumer made the motion to accept the 2008 financial reports from the Supervisor's office.

**MTN: ACCEPT  
FINANCIAL  
REPORTS OF  
SUPERVISOR FOR  
2008**

Second: Jim Welch

Vote: 4 Ayes. Carried.

- 4. Maple-Meadow Sewer Service Surveys: At the last Board meeting and informational presentation for the Maple-Meadow Sewer Service residents, the Town Board decided to wait two weeks before sending out new surveys to residents of the area being considered for sanitary sewer service.

**MAPLE-MEADOW  
SEWER SERVICE  
SURVEYS TO BE  
MAILED OUT**

Board members said they'd like the surveys to be sent out right after this meeting, with a return date of Friday, March 13 for tallying.

**AGENDA ITEMS**

- 1. Appoint Town Court Clerk: With the retirement of Town Court Clerk Helga Haak, it was necessary to find a replacement. At the recommendation of both Justice Abbott and Justice Rodman, Patricia Peterson, the current Village Court Clerk, was selected to do both Village and Town Court Clerk jobs. Salary and benefit negotiations will be finalized with the Village. In addition, an on-call individual would be named to cover for Ms. Peterson, for vacations or illness.

**JUSTICES  
RECOMMEND  
REPLACEMENT  
FOR TOWN COURT  
CLERK**

**MTN: APPOINT  
PATRICIA  
PETERSON AS  
TOWN COURT  
CLERK**

Dave Nussbaumer made the motion to appoint Patricia Peterson as the Town Court Clerk to replace Helga Haak, starting on February 27, 2009.

Second: Ken Miller

Vote: 4 ayes. Carried.

2. Resolution -- Set Public Hearing Date for Four Water Improve-ment Areas: To complete the Johnson-Floodman Water District, it was necessary to submit paperwork to the State Comptroller's office for approval. The Town was notified that the proposed water district must be in contiguous areas. Therefore, it cannot be approved as a single water district.

On advice of counsel, the Town has redefined the proposal as the Four Water Improvement Areas. The following resolution was brought before Town Board members for their approval:

**RESOLUTION: SET  
PUBLIC HEARING  
DATE FOR FOUR  
WATER  
IMPROVEMENT  
AREAS**

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

**Resolution and Order for Public Hearing**

WHEREAS, the Town Board of the Town of Palmyra has received a petition to obtain water service for four separate areas of the Town which are outside any village and existing water district, but have a desperate need for water, and

WHEREAS, the Town Board of the Town of Palmyra has determined that the best way to serve the four individual districts is by the creation of four separate water improvement areas pursuant to Article 12c of the Town Law, and

WHEREAS, the Town Board of the Town of Palmyra has caused a map, plan and report to be prepared by the Town's consulting engineers, MRB Group, Engineering, Architecture, Surveying, P.C., competent engineers duly licensed by the State of New York, and

WHEREAS, the engineers have in the plan and report proposed four separate improvement areas which are as follows:

1. South Creek Road Water Improvement Area
2. Johnson Road Water Improvement Area
3. Floodman Road Water Improvement Area

4. Parker Road Water Improvement Area

WHEREAS, one of the improvement areas is South Creek Road Water Improvement Area, which is located in the Town of Palmyra, bounded and described as follows:

ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Town of Palmyra, County of Wayne and State of New York outside of the Village of Palmyra and any existing Water District bounded and described as follows:

Beginning at the intersection of the west line of the East Palmyra-Port Gibson Water District with the south line of the CSX Railroad; thence

- 1) Westerly along the south line of the CSX Railroad to its intersection with South Creek Road; thence
- 2) Westerly along the centerline of South Creek Road to a point 650± feet south of the south line of tax map parcel number 66112-00-231278; thence
- 3) Southeasterly till it intersects with the west line of tax map parcel number 66112-00-325258; thence
- 4) Southerly along the west line of tax map parcel number 66112-00-325258 to its southwest corner; thence
- 5) Easterly along the south line of tax map parcel number 66112-00-325258 till it intersects with the west line of tax map parcel number 66112-00-438198; thence
- 6) Southerly along the west line of tax map parcel number 66112-00-438198 to its southwest corner; thence
- 7) Easterly along the south line of tax map parcel numbers 66112-00-438198 and 66112-00-500114 till it intersects with the west line of tax map parcel number 66111-00-629940; thence
- 8) Southerly along the west line of tax map parcel numbers 66111-00-629940 and 66111-00-622840 till it intersects with the north line of the East Palmyra Port Gibson Road Water District; thence
- 9) Easterly along the north line of the East Palmyra Port Gibson Road Water District till it intersects with the west line of said Water District; thence
- 10) Northerly, easterly, northerly, westerly and northerly along the west line of the East Palmyra Port Gibson Road Water District to the point and place of beginning.

**RESOLUTION: SET PUBLIC HEARING DATE FOR FOUR WATER IMPROVEMENT AREAS**

WHEREAS, the Town of Palmyra's consulting engineers, MRB Group, Engineering, Architecture, Surveying, P.C., has proposed that the area be serviced by the installation of:

1. 5,000 lineal feet of 8" pvc watermain;
2. 8 hydrants;

- 3. 5 gate valves; and
- 4. Original equipment, machinery, furnishing water fixtures related to site work, land rights in land, and professional services all as set forth in said map, plan and report which is on file in the Town Clerk's Office of the Town for public inspection, and

WHEREAS, (to maximum amount to be expected) in the consolidation of the water distribution system and related costs is One Hundred Eighty-Seven Thousand Three Hundred and 00/100 Dollars (\$187,300.00), and

WHEREAS, the project is subject to the receipt of a grant from USDA in the amount of Seventy-One Thousand and 00/100 Dollars (\$71,000.00), and

It is proposed that an average one or two family home will pay for the amortization of the cost of the improvement and water consumption in the annual sum of Nine Hundred Sixty Four and 00/100 Dollars (\$964.00), and

It is further proposed that each home owner shall have a one-time charge of One Thousand Four Hundred and 00/100 Dollars (\$1,400.00) to cover the service to the property line, curb box, meter installed with associated appurtenances and inspection charge, and

It is further proposed that unimproved land which is within the improvement area and no part of said land is in another district will pay an annual benefit charge of Ten and 00/100 Dollars (\$10.00).

**RESOLUTION: SET  
PUBLIC HEARING  
DATE FOR FOUR  
WATER  
IMPROVEMENT  
AREAS**

WHEREAS, one of the improvement areas is Johnson Road Water Improvement Area, which is located in the Town of Palmyra, bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Palmyra, County of Wayne and State of New York outside of the Village of Palmyra and any existing Water District bounded and described as follows:

Beginning at the intersection of the centerline of the South Townline Road with the west line of the Central Water District; thence

- 1) Northerly, easterly and northerly along the west line of the Central Water District to its intersection with the centerline of Vienna Road; thence
- 2) Northerly along the centerline of Vienna Road to its intersection with the south line of the East Water District; thence
- 3) Westerly, southerly, westerly, northerly, easterly, northerly, westerly, southerly, westerly, southerly, westerly and northerly along the south, east and west lines of the East Water District to the south line of the Village of Palmyra; thence
- 4) Westerly along the south line of the Village of Palmyra to its intersection with the east line of the Johnson Road Water District; thence



- 5) Southerly, westerly and northerly along the east, south and west line of the Johnson Road Water District to the south line of the Village of Palmyra; thence
- 6) Westerly along the south line of the Village of Palmyra to the east line of the Canandaigua Road Water District; thence
- 7) Southerly, westerly and southerly along the Canandaigua Road Water District to the north line of the Central Water District; thence
- 8) Easterly, southerly, easterly, southerly, easterly and southerly along the northerly and easterly lines of the Central Water District Extension 201 to the south line of the Town of Palmyra; thence
- 9) Easterly along the south town line of the Town of Palmyra to the point and place of beginning.

WHEREAS, the Town of Palmyra's consulting engineers, MRB Group, Engineering, Architecture, Surveying, P.C., has proposed that the area be serviced by the installation of:

- 1. 8,300 lineal feet of 8" pvc watermain;
- 2. 14 hydrants;
- 3. 8 gate valves; and
- 4. Original equipment, machinery, furnishing water fixtures related to site work, land rights in land, and professional services all as set forth in said map, plan and report which is on file in the Town Clerk's Office of the Town for public inspection, and

**RESOLUTION: SET  
PUBLIC HEARING  
DATE FOR FOUR  
WATER  
IMPROVEMENT  
AREAS**

WHEREAS, (to maximum amount to be expected) in the consolidation of the water distribution system and related costs is Three Hundred Fifteen Thousand Eight Hundred and 00/100 Dollars (\$315,800.00), and

WHEREAS, the project is subject to the receipt of a grant from USDA in the amount of One Hundred Thirty-Five Thousand and 00/100 Dollars (\$135,000.00), and

It is proposed that an average one or two family home will pay for the amortization of the cost of the improvement and water consumption in the annual sum of Nine Hundred Sixty-Four and 00/100 Dollars (\$964.00), and

It is further proposed that each home owner shall have a one-time charge of One Thousand Four Hundred and 00/100 Dollars (\$1,400.00) to cover the service to the property line, curb box, meter installed with associated appurtenances and inspection charge, and

It is further proposed that unimproved land which is within the improvement area and no part of said land is in another district will pay an annual benefit charge of Ten and 00/100 Dollars (\$10.00).

WHEREAS, one of the improvement areas is Floodman Road Water Improvement Area, which is located in the Town of Palmyra, bounded and described as follows:

ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Town of Palmyra, County of Wayne and State of New York outside of the Village of Palmyra and any existing Water District bounded and described as follows:

Beginning at the intersection of the centerline of the East Palmyra-Port Gibson Road District with the north line of the property of the County of Wayne, tax map parcel number 66111-00-380292; thence

- 1) Northwesterly and northerly along the north and east lines of the County of Wayne parcel to the north line of tax map parcel number 66111-00-608292; thence
- 2) Easterly along the north line of tax map parcel number 66111-00-608272 and tax map parcel number 66111-00-451412 to the intersection with the west line of the Central Water District; thence
- 3) Easterly along the south line of the Central Water District to its east line and continuing easterly along the north line of the Central Water District to its east line and continuing easterly along the north line of tax map parcel number 66111-00-784346 to the north east corner of said parcel; thence
- 4) Southerly along the east line of tax map parcel number 66111-00-784346 the north line of tax map parcel number 66111-00-864148; thence
- 5) Westerly along the north line of tax map parcel number 66111-00-864148 to a point 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road; thence
- 6) Southerly and always 500 feet easterly of the east right-of-way line of the East Palmyra Port Gibson Road to the north line of the County of Wayne tax map parcel number 66111-00-380292; thence
- 7) Westerly along the north line of the County of Wayne property to the center of the East Palmyra-Port Gibson Road; thence
- 8) Southerly along the centerline of the East Palmyra-Port Gibson Road to the point and place of beginning.

**RESOLUTION: SET  
PUBLIC HEARING  
DATE FOR FOUR  
WATER  
IMPROVEMENT  
AREAS**

WHEREAS, the Town of Palmyra consulting engineers, MRB Group, Engineering, Architecture, Surveying, P.C., has proposed that the area be serviced by the installation of:

1. 13,100 lineal feet of 8" pvc watermain;
2. 12 hydrants;
3. 15 gate valves; and
4. Original equipment, machinery, furnishing water fixtures related to site work, land rights in land, and professional services all as set forth in said map, plan and report which is on file in the Town Clerk's Office of the Town for public inspection, and

WHEREAS, (to maximum amount to be expected) in the consolidation of the water distribution system and related costs is Four Hundred Ninety-Seven Thousand Five Hundred and 00/100 Dollars (\$497,500.00), and

WHEREAS, the project is subject to the receipt of a grant from USDA in the amount of Two Hundred Seventy-Two Thousand Five Hundred and 00/100 Dollars (\$272,500.00), and

It is proposed that an average one or two family home will pay for the amortization of the cost of the improvement and water consumption in the annual sum of Nine Hundred Sixty-Four and 00/100 Dollars (\$964.00), and

It is further proposed that each home owner shall have a one-time charge of One Thousand Four Hundred and 00/100 Dollars (\$1,400.00) to cover the service to the property line, curb box, meter installed with associated appurtenances and inspection charge, and

It is further proposed that unimproved land which is within the improvement area and no part of said land is in another district will pay an annual benefit charge of Ten and 00/100 Dollars (\$10.00).

WHEREAS, one of the improvement areas is Parker Road Water Improvement Area, which is located in the Town of Palmyra, bounded and described as follows:

ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Town of Palmyra, County of Wayne and State of New York outside of the Village of Palmyra and any existing Water District bounded and described as follows:

**RESOLUTION: SET  
PUBLIC HEARING  
DATE FOR FOUR  
WATER  
IMPROVEMENT  
AREAS**

Beginning at the intersection of the centerline of the north line of the Central Water District with the centerline of Parker Road; thence

- 1) Easterly along the north line of the Central Water District to the east line of tax map parcel number 65112-00-181847; thence
- 2) Northerly along the east line of tax map parcel numbers 65112-00-181847, 65112-00-099960, 64113-00-977131; thence
- 3) Westerly along the north line of tax map parcel number 64113-00-977131 to the northwest corner of the tax map parcel; thence
- 4) Southerly along the west line of tax map parcel numbers 64113-00-977131, 64112-00-874995 and 64112-00-843860 to the north line of the Central Water District; thence
- 5) Easterly along the north line of the Central Water District to the point and place of beginning.

WHEREAS, the Town of Palmyra's consulting engineers, MRB Group, Engineering, Architecture, Surveying, P.C., has proposed that the area be serviced by the installation of:

1. 3,400 lineal feet of 8" pvc watermain;
2. 6 hydrants;
3. 3 gate valves; and

- 4. Original equipment, machinery, furnishing water fixtures related to site work, land rights in land, and professional services all as set forth in said map, plan and report which is on file in the Town Clerk's Office of the Town for public inspection, and

WHEREAS, (to maximum amount to be expected) in the consolidation of the water distribution system and related costs is One Hundred Seventy-Eight Thousand and 00/100 Dollars (\$178,000.00), and

WHEREAS, the project is subject to the receipt of a grant from USDA in the amount of Twelve Thousand Five Hundred and 00/100 Dollars (\$12,500.00), and

It is proposed that an average one or two family home will pay for the amortization of the cost of the improvement and water consumption in the annual sum of Nine Hundred Sixty-Four and 00/100 Dollars (\$964.00), and

It is further proposed that each home owner shall have a one-time charge of One Thousand Four Hundred and 00/100 Dollars (\$1,400.00) to cover the service to the property line, curb box, meter installed with associated appurtenances and inspection charge, and

It is further proposed that unimproved land which is within the improvement area and no part of said land is in another district will pay an annual benefit charge of Ten and 00/100 Dollars (\$10.00).

**RESOLUTION: SET  
PUBLIC HEARING  
DATE FOR FOUR  
WATER  
IMPROVEMENT  
AREAS**

ORDERED, that at a meeting of the Town Board of the Town of Palmyra to be held at the Town Hall, 1180 Canandaigua Road, Palmyra, New York on the 26th day of March, 2009 at 7:30 o'clock in the evening of that day to consider the report and plan as filed and to hear all persons interested in the subject thereof concerning the improvement District and for such other actions on the vote of said Town Board with relation to the said map, plan and report and for such proceedings as may be required by law or proper in the premises.

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Palmyra is hereby authorized and directed to publish a notice of said hearing in the *Palmyra Courier-Journal* and in *The Times of Wayne County* and to post a notice of this hearing on the Town Clerk's bulletin board and at such other place and in the time and manner as required by law.

DATED: February 26, 2009

VOTE

David Lyon, Supervisor		Aye
Councilman David Nussbaumer	Aye	
Councilman Kenneth Miller		Aye
Councilman James T. Welch		Aye
Councilman Michael Lambrix	Absent	

Councilman Ken Miller made the motion to approve the Resolution and Order for Public Hearing In the Matter of the Creation of Four Water Improvement Areas in the Town of Palmyra.

Second: David Nussbaumer      Vote: 4 ayes. Carried.

- 3. Agreement between Town and Library: The following agreement between the Palmyra King’s Daughters Free Library and the Town of Palmyra for 2009 was presented to Board members:

**AGREEMENT**  
**TOWN OF PALMYRA AND**  
**PALMYRA KING’S DAUGHTERS FREE LIBRARY INC.**  
**JANUARY 1, 2009 - DECEMBER 31, 2009**

**AGREEMENT** made this **26th day of February, 2009**, 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".

**AGREEMENT:  
TOWN OF  
PALMYRA WITH  
PALMYRA KING’S  
DAUGHTERS FREE  
LIBRARY FOR 2009**

**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, 2009, and terminating on the 31st day of December, 2009, 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  
**Dollars**  
or before  
year  
approval

services rendered for one (1) year the sum of **Twenty-Four Thousand (\$24,000.00)**. Said sum is to be paid in equal quarterly installments on the 30th day of March, June, September, and December during the **2009**. Said payments shall not commence until after the adoption and 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 Two Thousand Dollars (\$2,000.00) 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.

**AGREEMENT:  
TOWN OF  
PALMYRA WITH  
PALMYRA KING'S  
DAUGHTERS FREE  
LIBRARY FOR 2009**

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.

**MTN: APPROVE  
2009 AGREEMENT  
BETWEEN TOWN  
AND LIBRARY**

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

Councilman James Welch made the motion to approve the 2009 agreement between the Town and the Library.

Second: Ken Miller                      Vote: 4 ayes. Carried.

4. Agreement between Town, Village of Palmyra and the Palmyra Community Center: The following agreement between the Palmyra Community Center and the Town of Palmyra for 2009 was presented to Board members:

**AGREEMENT  
TOWN OF PALMYRA, VILLAGE OF PALMYRA AND  
PALMYRA COMMUNITY CENTER, INC.  
JANUARY 1, 2009 - DECEMBER 31, 2009**

**AGREEMENT:  
TOWN OF  
PALMYRA AND  
VILLAGE OF  
PALMYRA WITH  
PALMYRA  
COMMUNITY  
CENTER FOR 2009**

**AGREEMENT** made this **26th day of February, 2009**, 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:**

**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,

**AGREEMENT:  
TOWN OF  
PALMYRA AND  
VILLAGE OF  
PALMYRA WITH  
PALMYRA  
COMMUNITY  
CENTER FOR 2009**

**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, 2009**. 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 2008** for the purpose of establishing the amount of support needed from the Town and the Village for the Community Center in the year **2009** 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 **2009** to provide recreational sites, equipment and

fixtures  
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necessary to carry on the programs of the Community Center. The Board Directors shall also appoint a director to implement and supervise all of 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, 2009** 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 **2009**.

**AGREEMENT:  
TOWN OF  
PALMYRA AND  
VILLAGE OF  
PALMYRA WITH  
PALMYRA  
COMMUNITY  
CENTER FOR 2009**

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.

4. In addition to all of the other obligations contained herein, the Community Center shall render a report not less often than annually or at such other times as the Town and Village shall request as to the programs conducted, the supervision, the hours of attendance, the number attending and such other items as the Town and Village may request from time-to-time. With each annual report, the Community Center shall file a list of the current officers of the Board of Directors.

5. The Town shall pay to the Village for the calendar year **2009**, the sum of **TWENTY NINE THOUSAND NINE HUNDRED FIFTY DOLLARS (\$29,950.00)**. In the event that any portion of this Agreement shall be deemed to be not valid and binding, then only that portion of this Agreement shall fail and not the balance of this Agreement. Said amount shall be paid in equal, quarterly installments on or before the 30th day of March, June, September and December in the year **2009**, subject to the terms of this Agreement.



**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals the day and year first above written.

Councilman Dave Nussbaumer made the motion to approve the 2009 agreement between the Town, Village and Palmyra Community Center.

**MTN: APPROVE 2009 AGREE-MENT BETWEEN TOWN, VILLAGE & PALMYRA COMMUNITY CENTER**

Second: Jim Welch  
Carried.

Vote: 4 ayes.

- 5. Purchase of 2009 Bobcat: The Town Highway Department has budgeted for the purchase of a 2009 Bobcat S220. After brief discussion, Jim Welch made the motion to approve the purchase of a 2009 Bobcat S220, not to exceed \$25,816.00.

**MTN: APPROVE PURCHASE OF 2009 BOBCAT FOR HIGHWAY DEPARTMENT**

Second: Ken Miller

Vote: 4 ayes. Carried.

- 6. Palmyra Municipal Auction Contract: Town Highway Superintendent Mike Boesel requested to contract with Roy Teitsworth, Inc. Auctioneers to conduct the annual Municipal Auction, scheduled for Saturday, May 9, 2009. The contract was available for Board members to look over at the meeting.

**MTN: CONTRACT WITH TEITSWORTH FOR MUNICIPAL AUCTION SERVICES**

Ken Miller made the motion to approve Roy Teitsworth, Inc. to contract with the Town for conducting the Municipal Auction on May 9<sup>th</sup>.

Second: Jim Welch

Vote: 4 ayes. Carried.

A copy of the contract is included with these minutes as Attachment A.

- 7. Approve Surplus Equipment Disposal: After cleaning out many items from the Highway Barns, Mike Boesel presented a list of items he wished to declare as surplus. These items can be included in the Auction, or disposed of by other means:

2009 Equipment Surplus List – 2/26/2009

**2009 EQUIPMENT SURPLUS LIST**

1. Gresens Sander Control Units (5 total)
2. Eldon Keyboard Station
3. Brother Fax/Laser Printer
4. Computer Keyboard
5. ZIP Disks (2 boxes)
6. Xerox printer toner

- 7. 1987 Case Drott w/ ditching & digging buckets, mowing head, 4:1 bucket
- 8. 1989 Case Drott w/ ditching & digging buckets
- 9. 2008 Bobcat S220 skid steer loader
- 10. Tarrant sanders (2 total)

Jim Welch made the motion to approve the miscellaneous items as surplus, and available for disposal. Included with this motion are terms that sale or disposal of the items, including online, can be negotiated by Mike Boesel.

**MTN: DECLARE  
MISC. ITEMS AS  
SURPLUS**

Second: Ken Miller                      Vote: 4 ayes. Carried.

- 8. Approve Abstracts #165 and 166: Dave Nussbaumer made the motion to approve the claims and expenditures shown on Abstract #165, which includes Voucher Numbers 10,004 through 10,010 for \$26,448.18, and Abstract #166, which includes Voucher Numbers 10,011 through 10,104 for \$94,058.16.

**MTN: APPROVE  
ABSTRACTS #165  
AND #166**

Second: Jim Welch                      Vote: 4 ayes. Carried.

- 9. Motion to Enter Executive Session: At 8:51, Jim Welch made the motion to enter into Executive Session to discuss matters regarding contract negotiations. Highway Superintendent Mike Boesel was invited to stay for the Executive Session.

**MTN: ENTER  
EXECUTIVE  
SESSION FOR  
NEGOTIATIONS**

Second: Ken Miller                      Vote: 4 ayes.  
Carried.

- 10. Motion to Adjourn: At 9:13 p.m., Ken Miller made the motion to adjourn the meeting.

**MTN: ADJOURN  
MEETING**

Second: Dave Nussbaumer              Vote: 4 Ayes. Carried.

Respectfully submitted,

Lyndall Ann P. Green  
Palmyra Town Clerk

Attachment A: Agreement between Town of Palmyra and Roy Teitsworth, Inc., Professional Auctioneers, Appraisers, Consultants, for 2009

Municipal Equipment Auction

**NEXT TOWN BOARD MEETING:  
THURSDAY, MARCH 26, 2009, 7:30 P.M.  
PALMYRA TOWN HALL**