

DRAFT

**MINUTES OF  
TOWN OF RENNELAERVILLE TOWN BOARD  
REGULAR MEETING  
JULY 8, 2010**

The Regular Meeting of the Town Board of the Town of Rensselaerville was held on the 8<sup>th</sup> day of July, 2010 at 7 o'clock in the evening at the Rensselaerville Town Hall, 87 Barger Road, Medusa, NY. The meeting was convened by Supervisor Dermody and the roll was called with the following results:

**PRESENT WERE:** Supervisor Marie Dermody, Councilman Gary Chase, Councilwoman Marion Cooke, Councilwoman Dale Dorner, Councilman John Kudlack, Town Clerk Kathleen A. Hallenbeck, Deputy Town Attorney Jon Kosich  
Also present were Superintendent Gary Zeh and 23 interested citizens.

**AUDIENCE COMMENTS:** There were no audience comments at this time.

**MINUTES:** A motion was made by Councilman Chase to accept the minutes of the Regular Meeting held on June 10, 2010 as corrected (change **They** to **Superintendent Zeh**, page 5 under Rensselaerville and Preston Hollow Park Committees) and the Work Meeting held on June 8, 2010; 2<sup>nd</sup> by Councilwoman Dorner. *Motion Carried Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**TRANSFERS:** The Town Board reviewed the Transfers as submitted by Clerk 1/Bookkeeper Cornwell, transfers questioned are noted with an “\*”. More information is needed on these two transfers. Supervisor Dermody will discuss them with the bookkeeper.

FROM	TO	AMOUNT
Contingency – A1990.4 (Paid for grievance board expenses for grievance day for secretary)	Grievance – A1480.4	\$100.00
*Contingency – A1990.4 (Newsletter postage and contractual cost for July 2010)	Central Mail – A1670.4	375.00
Contingency – A1990.4 (Computer costs, upgrades, repairs, and emails etc.)	Data Processing – A1680.4	1050.00
Safety Insp. – A3620.4 (Purchase of new computer, software requirements, installations.)	Safety Insp. – A3620.2	195.00
*Contingency – A1990.4 (Cover program costs for the Aging.)	Program for Aging - A7610.4	25.00
Generals Repairs, Ps Services – DA5110.1 (Cover monthly FEMA coordinator payroll costs to close out past projects)	FEMA Coordinator – DA5151.1	400.00
Administration Cont. – SS8110.4 (Equipment purchase for sewer)	Administration, Equip – SS8110.2	100.00

A motion was made by Councilwoman Cooke to make all transfers except \* A1670.4 Newsletter and A7610.4 Program of Aging; 2<sup>nd</sup> by Councilman Chase. *Motion Carried Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**ABSTRACT 2010 - 07 VOUCHERS, BILLS:** The General Fund - \$12,774.95; Highway Fund - \$14,175.33; Lighting District - \$581.42; Sewer District - \$198.80; Water District - \$5,521.55. Grand Total - \$33,252.04. Total Pre-Pays; General Fund - \$10,778.61, Highway Fund - \$5,460.93, Total - \$16,239.54

A motion was made by Councilman Kudlack to pay all signed vouchers; 2<sup>nd</sup> by Councilman Chase. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**CORRESPONDENCE:** Albany County Action Partnership – They will be hosting their 2<sup>nd</sup> Annual Head Start Kick-Off Event on July 21, 2010, 1 to 3:30 PM at 3 Lincoln Square, Albany, NY. The public is invited.

**REPORTS**

**SUPERVISOR DERMODY:** The Town Board reviewed and discussed the financial report as submitted by Clerk 1/Bookkeeper Cornwell.

A motion was made by Councilwoman Dorner to accept the financial report; 2<sup>nd</sup> by Councilman Chase.

After a brief discussion concerning the financial report, Councilwoman Dorner withdrew her motion. This report will be discussed next month or at a special meeting.

- **PROCUREMENT POLICY** – Supervisor Dermody mentioned that with the uncertainty of the economy right now, we don't know what kind of money we are going to get from the State and County. Several years ago the Town Board had decided to lower the ceiling on the Procurement Policy so they could keep a tighter handle on our funds. Should the Board consider, on a short term basis, revisiting that issue and lower our ceiling so that we have a better handle on what is spent, what is saved and how it is spent? The Town Board discussed this briefly. Supervisor Dermody would like the Town Board to review the policy, look at our operating statement that we got tonight, and see whether or not it is time to revisit that issue. This will be put on the August Work Meeting agenda.

- **PAYROLL AUDIT** – Councilman Chase will audit the May payroll and Councilwoman Dorner will audit the June payroll.

- **SUMMER YOUTH EMPLOYMENT** – Supervisor Dermody reported that we started the Summer Youth Employment Program yesterday; we have two young ladies. They are working from 9am to 1pm, 5 days per week until August 13th. We have a list of tasks that we want done. They are being paid by the County. One of the projects will be scanning and digitizing documents.

- **WASTE OIL COLLECTION** – We only received one gallon of waste oil at our last collection day on June 19<sup>th</sup>.

- **COMPTROLLER AUDIT** – The auditors have collected the data they need and are currently working on their draft report. If they need anything further, they will contact us for the documents.

- **FEMA** – Supervisor Dermody reported that we just sent in our 8<sup>th</sup> folder and we have three folders left to go. Supervisor Dermody explained to the Town Board what projects are left.

Councilwoman Cooke mentioned that this will take at least two to three months to complete. What about Mary Ann Wollaber; she won't wait forever. Supervisor Dermody mentioned that she is ok with our progress.

- **DRAFT EMERGENCY ACTION PLAN (EAP) – LAKE MYOSOTIS DAM** – The Town Board received the EAP from J. K. Fraser & Associates for the Lake Myosotis Dam. Supervisor Dermody asked that the Town Board members review the information and that we set a special meeting for July 22<sup>nd</sup> to go over the EAP. The EAP must be submitted to the State by August 10, 2010.

A motion was made by Councilman Chase to hold a Special meeting on July 22, 2010, 7 PM to discuss and act on the Emergency Action Plan; 2<sup>nd</sup> by Councilwoman Dorner. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

- **STONE & SAND** – Supervisor Dermody mentioned that she has been notified that people have been seen taking stone and sand. Supervisor Dermody will put a notice in the newsletter that it is illegal to take materials from the Town property; if they are caught they will be prosecuted. Supervisor Dermody will also create signs to be put up at the sites.

- **JOB DESCRIPTION – PLANNING BOARD/ZONING BOARD SECRETARY** – Supervisor Dermody presented to the Town Board the old job descriptions and the new descriptions for them to review.

Attorney Kosich mentioned that there should be a notation that the clerk should also be responsible for insuring that any land restrictions, controls or easements that are affecting real property get cross-referenced into the books that the assessors and code enforcement officer use. Attorney Kosich explained this responsibility to the Town Board. This will be reviewed and acted on at the August meeting.

- **UNION CONTRACT** – Supervisor Dermody mentioned that in the near future we are going to have to enter into negotiations, whether before or after budget time. Supervisor Dermody asked that the Town Board begin to look at the contract and see if they have any changes to suggest.

Councilwoman Cooke asked about the health insurance for the employees under the Union Contract; does it have to be approved by the Union.

Supervisor Dermody mentioned that it has to be comparable to what they have.

- **MARCH 17<sup>TH</sup> MEETING DVD** - Supervisor Dermody asked Mr. Tollner if he had this DVD yet and she also asked if she could get a copy of the June 2010 meeting because her camera didn't work. Mr. Tollner will try and get these DVDs.

Councilwoman Cooke asked about the Department of Aging – has Mr. Scarano gotten back to Supervisor Dermody concerning the senior bus and transportation.

Supervisor Dermody mentioned that she has not heard from him.

Councilwoman Cooke asked if the Town Board was going to review the Town of Berne audit.

Supervisor Dermody mentioned that one issue has been taken care of which is the segregation of duties concerning the bank reconciliations. We will discuss this audit further at budget time.

Councilwoman Cooke asked if we have heard anything from the Department of Labor concerning the violations.

Supervisor Dermody we haven't heard anything from them.

Councilwoman Cooke asked if our data is being stored off site. Yes it is.

Councilwoman Cooke asked about the records room, any idea, was Jeff Pine going to figure out what to do.

Supervisor Dermody, this could be done when we are discussing building issues in the budget.

Councilwoman Dorner suggested that each one of us come up with a list of things that we are concerned about and then make it a priority.

Councilwoman Cooke asked if we have heard anything from Central Hudson on our electricity.

Central Hudson came and took the blanket off; we haven't heard anything from them yet.

- **FOIL POLICY** – Councilwoman Dorner is working on this policy.  
A motion was made by Councilman Chase to accept the Supervisor Report; 2<sup>nd</sup> by Councilwoman Dorner. *Motion Carried Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**TOWN ATTORNEY:** Attorney Kosich had nothing to report.

### **HIGHWAY DEPARTMENT**

Superintendent Zeh reported the following;

- **Current Highway Work** – Superintendent Zeh reported to the Town Board that the Highway Department has been ditching, grading, asphalt patching and mowing on the roads and lane in the Town. The posted signs have been replaced at the old Kenyon Road dumpsite. The other signs had been torn down.

Superintendent Zeh reported that Carver Sand and Gravel, who was the low bidder for in-place paving has presented the Town with a reduced paving rate that is currently \$11.00 per ton lower than their original bid. Superintendent Zeh recommended amending the Highway Agreement (pull Camp Winsockie and Phase 2 of Pond Hill Road) and paving Siebert Road. The Town Board, Superintendent Zeh, and Attorney Kosich discussed this issue at length. Carver got the original bid; we do not have to rebid.

Attorney Kosich or Attorney Catalano will check on how to change the Highway Agreement. This topic will be discussed at the special meeting on July 22<sup>nd</sup>.

- **Maintenance and Repairs** – Superintendent Zeh reported that his maintenance and repair line item (DA5130.4) is almost depleted. He requested transferring \$20,000.00 from his General Repairs Payroll (DA5110.1) line to the Maintenance and Repairs line to cover further repairs. The Town Board discussed this issue.

A motion was made by Councilman Chase to transfer \$20,000.00 from General Repairs Payroll (DA5110.1) to Maintenance and repairs (DA5130.4); 2<sup>nd</sup> by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

- **1983 Oshkosh** – Superintendent Zeh mentioned that he would like permission to proceed with the repairs on the 1983 Oshkosh. He got a quote from WW Transmission to rebuild the transfer case for less than \$6500.00 and a replacement rear end will cost \$2500.00 or less. Ben Funk quoted \$8000.00 to \$9000.00 to rebuild the transfer case.

A motion was made by Councilwoman Dorner to authorize Superintendent Zeh to accept the quote of \$6500.00 from WW Transmission to have the transfer case rebuilt; 2<sup>nd</sup> by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

- **1989 Oshkosh** - Superintendent Zeh reported that he looked at 5 trucks and the best one suited for our needs and was in good condition was a 1987 Oshkosh. It has been partially reconditioned; it has 60,000 miles on it, automatic transmission, plow, wing, stainless steel sander and to finish reconditioning the chassis is under \$32,500. He located the original owner which was the Town of Lancaster and he spoke to the driver. Councilwoman Cooke asked if we could put this out to bid so we could see what is out there.

The Town Board discussed this issue at length and decided to discuss it further at the Special Meeting on July 22<sup>nd</sup>.

A motion was made by Councilwoman Cooke authorizing Superintendent Zeh to write up specification for a used 4 wheel drive truck with wing and plow, 50000 plus GVW, and present it to the Town Board for review at the Special Meeting on July 22<sup>nd</sup>; 2<sup>nd</sup> by Councilwoman Dornier. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dornier, Kudlack; Nays (0)*

- Medium Duty Truck Specifications – Superintendent Zeh presented the Town Board with the specifications for the truck. He would like to put it out to bid.

A motion was made by Supervisor Dermody to authorizing the Town Clerk to advertise for bids for a used Medium Duty Truck, 4 x 4, 2007 or newer; bids to be received by the Town Clerk on August 10, 2010 at 6:45 PM and opened at 7:15 PM; 2<sup>nd</sup> by Councilman Chase. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dornier, Kudlack; Nays (0)*

- Part Time Employee – Superintendent Zeh would like to hire a part time employee. The Town Board discussed the pay rate, hiring and firing of an employee and interviewing an applicant. The pay rate would be 75% of the base pay.

A motion was made by Supervisor Dermody to advertise for a part time employee for the Highway Department; 2<sup>nd</sup> by Councilwoman Dornier. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dornier, Kudlack; Nays (0)*

- Reclassify Employees – Superintendent Zeh would like to reclassify two employees according to the Union Contract. When an employee is working on major repairs, he would like them to get the mechanics rate, which is \$.40 more per hour.

Councilman Chase mentioned that this is a personnel issue and he would like to discuss it in executive session. This will be done at the end of the meeting.

- Employee Training – Attorney Catalano will need to write up an addendum to the Union Contract that says for any reason in the future we suspend the training that the \$.10 an hour that we are paying per man is not construed as a raise in salary.

- Safety - The Highway Employee continue to have weekly safety meeting.

- On Line-Auction – Superintendent Zeh will forward to the Town Board members information on on-line auctions to sell some of our equipment.

- Route 85 Project – Superintendent Zeh reported that he went to the Capital District Transportation Committee meeting yesterday. The CDTC is currently looking at rural projects for their next round of selection.

- Park Committees – Superintendent Zeh spoke to Copeland Coating concerning the Parks tennis court projects. There will be a \$1,790.00 savings. The Town Board needs to have a breakdown for each park.

- Stone & Sand – Superintendent Zeh did not know that people were taking salt and sand. He mentioned that people are dropping refuse off at the garage door. He asked if a camera at the corner of the building would help these situations.

- Superintendent Zeh mentioned that if anyone has any downed branches or trees, pot holes, washouts, drainage issues, please contact him.

Supervisor Dermody asked if the excavator we are renting is getting used. Superintendent Zeh said that they try and use it every day.

(Complete Highway Superintendent Report on file in the Town Clerks Office)

A motion was made by Councilwoman Dornier to accept the Superintendent's report; 2<sup>nd</sup> by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dornier, Kudlack; Nays (0)*

**TOWN CLERK:** Town Clerk Hallenbeck reported the following collected and paid out for the month of June 2010: Town Clerk Department – Total Collected - \$1,869.16. Paid to the Supervisor - \$1,471.32 (fees); Paid to the Albany County Clerk - \$47.65 (dog license); Paid to NYS Department of Agriculture and Markets - \$45.00 (spay and neutering Program); Paid to NYS Departmental Conservation - \$305.84 (sporting license); Paid to NYS Department of Health - \$20.00 (marriage license). Water Rents Collected - \$1,967.38. Sewer Rents Collected - \$917.48.

A motion was made by Councilman Chase to accept the Town Clerk's report for the month of June 2010; 2<sup>nd</sup> by Councilwoman Cooke. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**CODE ENFORCEMENT OFFICER/BUILDING INSPECTOR:** CEO Overbaugh reported the following permits and funds collected for the month of June 2010: 4 – Building Repairs, 3 – New Home Construction, 1 – Accessory Building, 1 – Building New Accessory, 2 – Decks, 1 - Agriculture Use Permit. CEO Overbaugh reported that the old building owned by the Town by the school house in Potter Hollow has been taken down by Ed Reinhardt. He did an excellent job. The plan is to burn the debris. A neighbor does not want it burned due to health problems. CEO Overbaugh and Councilman Kudlack will contact this person and come up with a plan to benefit everyone.

CEO Overbaugh briefly spoke about his computer problems. They are being taken care of by i.t.s.

A motion was made by Councilman Kudlack to accept CEO Overbaugh's report; 2<sup>nd</sup> by Councilman Chase. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**ASSESSING DEPARTMENT:** There were no assessors present to give a report.

**WATER/SEWER COMMITTEE:** Town Clerk Hallenbeck reported that the Army Corps of Engineers has approved the work on the Impounding Dam and will be mailing the permit this week.

**WIND POWER COMMITTEE:**

Industrial Wind Power - Noel Abbott Chairman mentioned that the Committee has really worked long and hard to come to these recommendations. The Wind Power Committee mentioned that the overall recommendation of the Wind Study Committee for the industrial wind power installation within the Town of Rensselaerville should not be permitted. Chairman Abbott and Mr. Sedlmeir mentioned the following key reasons for these recommendations:

- Industrial Wind Power is strongly out of alignment with the Town of Rensselaerville's Comprehensive Plan. Note: This reason alone would be enough to justify a strong recommendation prohibiting them.
- There is significant health, environmental, and safety concerns associated with Industrial Wind Power.
- Albany County does not have the sustained high level of wind speed to make Industrial Wind Power viable for consistent energy production.
- Citizen's property value would be negatively affected.
- On a cost-benefit basis, the income to the Town would be minimal, while the costs to the quality of life would be disproportionately large. Also, the total costs to the Town in terms of time spent by the Town Board, town committees, town attorneys, Highway Superintendent, and other town employee's time would be large, and is often uncounted in the project's life cycle costs.
- Irreversible decision: Once Industrial Wind Turbines are installed, it would be practically impossible to remove them. Industrial Wind leases give developers long term property control through long initial terms and option extensions: Shell Oil's contract provides the developer with control for as long as 67 years from contract signing. Flat Rock Wind Power's Amended and Restated lease for Tug Hill provided the developer with control for as long as 46 years. That would commit the town to these industrial installations for the equivalent of three generations.
- The Town would likely lose control of its ability to independently negotiate with Wind Developers.
- Even if the Town attempted to restrict Industrial Wind Power zoning to a small portion of the Town, Wind Developers could challenge that zoning and quite possibly be successful in overturning it. It would be easier for a wind developer to successfully challenge a zoning restriction than a total prohibition based upon the comprehensive plan.

The Town Board will receive a complete document on the findings of the Wind Committee concerning industrial wind power. The Town Board will review the document and discuss it further at the special meeting to be held on July 22, 2010.

A motion was made by Councilwoman Dorner to accept the report given by members of the Wind Power Committee on industrial wind power; 2<sup>nd</sup> by Councilman Chase. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**CURRENT EVENTS:** There will be a Blood Drive on July 23, 2010, 1 to 6 pm at the Preston Hollow Fire House.

**OLD BUSINESS**

**PRESTON HOLLOW PARK COMMITTEE & RENSSELAERVILLE PARK COMMITTEE – TENNIS COURTS** - Discussed earlier in the meeting.

**NEW BUSINESS**

**ALBANY COUNTY SHERIFF ADVANCED LIFE SUPPORT PROGRAM:** This is a contract between the Town of Rensselaerville and the County of Albany to provide for the Town’s participation in the County’s Emergency Medical Services Program in order to provide Advanced Life Support Services. The cost to the Town for the period 1/1/10 – 12/31/10 would be \$44,605.05.

The Town Board discussed the agreement.

A motion was made by Councilman Chase authorizing Supervisor Dermody to sign the “Agreement for Advanced Life Support Services between the County of Albany and the Town of Rensselaerville”; 2<sup>nd</sup> by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**NEW YORK STATE AND LOCAL EMPLOYEES’ RETIREMENT SYSTEM – RESOLUTION 20100708A:** Supervisor Dermody explained the State Retirement Resolution to the Town Board.

The following resolution was made by Councilwoman Dorner and seconded by Councilman Chase.

BE IT RESOLVED, that the Town of Rensselaerville hereby establishes the following as standard work day for elected and appointed officials and will report on the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of the body: Town Clerk – Standard Work Day – 7 hours/day; Deputy Town Clerk, Code Enforcement Officer, Clerk 1, Clerk 2, Attorney, Deputy Attorney and FEMA Clerk – Standard Work Day – 6 hours/day.

A roll call vote was taken with the following results:

Supervisor Dermody	AYE
Councilman Chase	AYE
Councilwoman Cooke	AYE
Councilwoman Dorner	AYE
Councilman Kudlack	AYE

**RESIGNATION – ALDEN PIERCE – ZONING BOARD OF APPEALS & ZONING REVIEW COMMITTEE:**

The Town Board received two letters from Alden Pierce resigning his position from the Zoning Board of Appeals and also his position on the Zoning Review Committee.

A motion was made by Councilman Chase to accept Mr. Pierce’s resignations from the Zoning Board of Appeals and the Zoning Review Committee; 2<sup>nd</sup> by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

Supervisor Dermody will write Mr. Pierce a thank you for his service to the Town.

Roger Gifford, a member of the Zoning Board of Appeals, is willing to take Mr. Pierce’s position as chairman.

A motion was made by Councilman Chase to appoint Roger Gifford Chairman of the Zoning Board of Appeals to the end of the year; 2<sup>nd</sup> by Councilwoman Dorner. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

A replacement is needed for this position; a notice will be put in the newsletter. Letters of interest will be received until the 10<sup>th</sup> of August.

Attorney Kosich spoke about the need for a quorum.

**THE GREENVILLE MOUNTAIN VIEW PIONEER:** Supervisor Dermody mentioned that she has received the legal rates for this newspaper and they are comparable if not better than the *Altamont Enterprise*. The Pioneer uses a four column paper rather than a five column paper.

A motion was made by Supervisor Dermody to appoint the *Greenville Mountain View Pioneer* as another official newspaper for the Town; 2<sup>nd</sup> by Councilman Chase.  
Councilwoman Cooke mentioned that would be double the expense; we were just talking about budget funding. The Town Board discussed this issue briefly.

*Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**MEDUSA VOLUNTEER FIRE COMPANY – NEW MEMBER – HEATHER FITZPATRICK**

A motion was made by Councilman Chase to add Heather Fitzpatrick to the membership list for the Medusa Volunteer Fire Company; 2<sup>nd</sup> by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**HEALTH INSURANCE:** Supervisor Dermody mentioned that at our Work Meeting on Tuesday night we had Erin Nevins, our insurance broker, give us a presentation on our health insurance plan. Mrs. Nevins explained that the present Empire plan will no longer exist. It is going to be something different, although the rates aren't going to go up very much, the benefits are going to go down considerably. Mrs. Nevins presented 2 CDCHP plans. She will meet with the highway employees to go over these plans.

**AUDIENCE COMMENTS**

- Georgette Koenig, asked about the Carver trucks traveling Pond Hill Road to about 8 to 10 fully loaded trucks over the last two weeks. In terms of the Highway Agreement, what was the washout on Pond Hill and how does it effect not doing work on Pond Hill? There is a safety cone sitting on the side of the road and other damages on the road. It is much more travelled than Camp Winsockie Road. The damage to the road is getting continually worse.

Superintendent Zeh mentioned that Carver is not hauling for the Town. Pond Hill Road will be worked on; they are still going to do ditching and putting a crown on it. Phase 1 is still on. He was talking about Phase 2 in his report.

- Mr. Tollner asked if we a liable having under-aged kids handling Town records. Are they covered by insurance, are they supervised a 100% of the time?

Attorney Kosich mentioned that age doesn't matter for legal liability. Attorney Kosich would have to look at the insurance policy.

Supervisor Dermody mentioned that all the things that they are working with are available under FOIL. They are supervised at all times.

- Gerald Wood asked about Pearson Road and is it going to be fixed.

Supervisor Dermody, it is on the Highway Agreement. Superintendent Zeh mentioned that it will be fixed this year.

**EXECUTIVE SESSION:** A motion was made by Councilman Chase to go into Executive Session to discuss personnel issues; 2<sup>nd</sup> by Councilman Kudlack. (9:15pm). *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

A motion was made by Councilman Chase to come out of Executive session; 2<sup>nd</sup> by Supervisor Dermody. (9:30pm) *Motion Carried. Ayes (5) Dermody, Chase, Cooke, Dorner, Kudlack; Nays (0)*

**ADJOURNMENT:** A motion was made by Councilman Chase to adjourn the meeting at 9:31 pm, 2<sup>nd</sup> by Councilman Kudlack. *Motion Carried.*

**RESPECTFULLY SUBMITTED;**

Kathleen A. Hallenbeck  
Town Clerk