

TOWN OF PLATTEKILL
REGULAR TOWN BOARD MEETING
& 2 PUBLIC HEARINGS
(MOVING VETERANS MEMORIAL STONE & SITE PLAN REVIEW IN AG DISTRICTS)

September 7, 2016

Time: 7:00 PM

SALUTE TO FLAG

Supervisor Croce opened the meeting with a salute to the American Flag.

ROLL CALL

The following Town Board Members were present:

Supervisor Croce
Councilman Putnam
Councilman Farrelly
Councilwoman Delgado
Councilman DePew

PUBLIC HEARING – MOVING VETERAN’S MEMORIAL FROM LIBRARY TO PATURA ROAD MEMORIAL SITE

Supervisor Croce read the Legal Notice that was published in the Town Newspaper and explained that there has been a request to move the World War II Memorial Stone, located at the Town Library Building, to the new Veteran’s Memorial Site located on Patura Road. He stated that a local Boy Scout has requested to move the stone as part of his Eagle Scout Project.

Supervisor Croce stated that he felt this relocation of the Memorial Stone would be a good idea as it will be seen by more people at the new Veteran’s Memorial location. He stated that this public hearing was scheduled to hear any comments residents may have regarding the relocation. He stated that he felt most people, as he has spoken too many, never realized that there was a memorial stone at the Library site.

* Supervisor Croce made a motion to open the Public Hearing on the proposed relocation of the World War II Memorial Stone, located at the Town Library Building, to the Veteran’s Memorial located on Patura Road.

Councilwoman Delgado seconded.

On the vote: all ayes.

Councilman DePew asked if the Town could also move the flag pole, located near the memorial stone, to a different location in front of the Library Building?

Supervisor Croce stated that moving the flag pole was not part of this project and the Library had not mentioned or requested moving the pole. He stated that he felt moving the pole was a matter for a future meeting.

Councilman DePew stated that he just felt, since we were moving the memorial stone, that the flag pole should also be moved to a location in front of the building. He asked what was going to happen with the circle where the stone currently sits. He stated that he doesn't want to see them lose the flagpole.

Supervisor Croce stated that this public hearing, this evening, is for the Eagle Scout Project of moving the memorial stone. He stated that he would prefer to leave the circle for traffic flow. If the circle is taken out, you will have people coming and going up and down the open driveway. With the circle there, people know to stay to the right or left as they are coming or going. He stated that just because the stone is being removed, that doesn't mean we can't have bushes there or some flowers planted around the pole.

Mrs. Morse stated that the flagpole was originally located in front of the building and it was moved to the circle where the memorial stone was located. She stated that she spoke to the members of the Veteran's Committee and everyone agreed that relocating the stone to the new Veteran's Memorial Site on Patura Road, was a good idea.

Mr. Wager, the Town Highway Superintendent, stated that moving the stone was the Eagle Scout Project. If afterword's, the Town Board wants to change the circle or make a garden there, it will be up to you.

Councilman Putnam stated that he felt the flagpole should stay in its present location until the Eagle Scout Project is completed. The project has to be done and reviewed by the Eagle Scout Board and if the Town were to remove anything else, the Project would not be completed as proposed. This could be a problem for the Boy Scout doing the project.

Councilman DePew stated that he had brought up moving the flagpole because some Library members and some seniors had suggested that it should be moved.

Ms. Smith stated that she was a Library Trustee and she does not remember the Library Board discussing moving the pole. She stated that her personal opinion is that it would be a good idea to move the memorial stone. The Veteran's Memorial would be a much better location.

Supervisor Croce stated that he knows Mrs. Morse has spoken with a lot of people and the Veteran's Committee and they all felt that moving the memorial stone would be a good idea. This public hearing is to give anyone the opportunity to voice their opinion on moving it to the new location. We would not want to offend anyone. He stated that someone mentioned to him that the plaque was not originally on the stone. It was moved to the stone at a later date.

There was a short discussion that the original plaque was on two metal posts that were still on the corner of the property.

There were no further comments, for or against, the proposed relocation of the Library Building Memorial Stone.

* Councilman DePew made a motion to grant approval of the Eagle Scout Project to move the Memorial Stone, located at the Library Building, to the new Veteran's Memorial site on Patura Road. Councilman Putnam seconded.

On the vote: all ayes.

Supervisor Croce suggested that Mr. Kras, the Boy Scout who would be relocating the Memorial Stone, that he should speak with the Highway Superintendent and the Veteran's Committee to see

exactly where the Memorial Stone will be located at the Veteran's Memorial. He asked Mr. Kras when he would be starting his project?

Mr. Kras explained that now that he has permission to do this project, he has to submit the project application plans to the Eagle Scout Board for their approval. Then once he has the approval, he can do fundraising and begin the project.

Supervisor Croce stated that he would draft a letter, from the Town, stating that he had approval to do the project, so he could submit it with his application.

Mr. Kras thanked the Town Board for all their help.

* Supervisor Croce made a motion to close the Public Hearing on the relocation of the Veteran's Memorial Stone from the Library Building to the Veteran's Memorial on Patura Road.

Councilwoman Delgado seconded.

On the vote: all ayes.

Time: 7:30 PM

PUBLIC HEARING – PROPOSED LOCAL LAW FOR SITE PLAN REVIEW OF PROPERTIES IN A DESIGNATED AGRICULTURAL DISTRICT UNDER ARTICLE 25-AA §305 OF THE AGRICULTURAL AND MARKETS LAW OF THE STATE OF NEW YORK

Supervisor Croce read the Legal Notice that was published in the local Town Newspaper. He explained that originally, the Town Board had questioned the Department of Ag. and Markets about how much control the Town could have over farms that were using Agri-tourism and special events to further their sales of produce. He stated that the response from Ag. & Markets basically stated that the farms were covered under the Dept. of Ag. & Markets. He stated that the Town Board and the Planning & Zoning Boards attended conferences and the Town even hosted officials from Ag. & Markets on regulating these types of businesses and it was very confusing with speakers saying one thing and the next speaker saying the exact opposite. The tone of the meetings was that if whatever they were doing would bring people to purchase their produce, then it was acceptable.

Supervisor Croce stated that the Town continued struggling with concerns and questions from area residents about these facilities and was still asking for information from the Ag. & Markets on what the Town can regulate in these instances. In March of this year, we received another letter from Ag. & Markets, and this time it was telling us that we now can regulate certain things such as noise, hours of operation, frequency, traffic, parking, lighting, camping and other items to protect the public health and safety of the community. He read the section of the letter where it stated these items and it ended saying that the Department would evaluate the reasonableness of a Town's proposed restrictions and the application thereof as applied to a farm operation. It stated that the Department has not however extended Ag. & Markets Law Section 305-a (1) protections to bed and breakfasts and camping.

Supervisor Croce stated that the letter also suggested that the Town could set up an Expedited Site Plan Review to streamline local review processes which are designed to minimize the cost to farmers and eliminate the need to hire professionals to complete the local review process. He stated that he has worked with the Town Attorney on this proposed Expedited Site Plan Local Law and the Town Board would like to hear comments so that the Town Board can make modifications to it if need be. He stated that he wanted everyone to understand that the intent of this local law was not to persecute farmers or

Agricultural businesses in Town, but we do have a duty to try to make them safe and protect other residents from negative impacts. He stated that he had received one letter and one e-mail this afternoon and has not had a chance to read them as yet. He will now open up the floor to discussion. He asked if anyone wanted him to read through the local law again as he had read it at a previous meeting and it was on the internet where many people have stated that they already reviewed it.

Mrs. Tara Fitzpatrick asked the Supervisor to read the letter and e-mail so that everyone present could hear what those comments or suggestions were.

Supervisor Croce stated that he had just received them and the Town Clerk will be adding them to the minutes of this public hearing. He stated that he felt people were here this evening to make comments and he would like to hear from them instead of reading the correspondence. If anyone would like to read the letter and/or e-mail, they can request them through the Town Clerk's Office.

* Supervisor Croce made a motion to open the Public Hearing on the proposed Local Law for Expedited Site Plan Review For Properties In A Designated Ag District Under Article 25-AA §305 Of The Agricultural and Markets Law of the State of New York.

Councilman Putnam seconded.

On the vote: all ayes.

Mr. Knudsen, from South Street in Clintondale, stated that he wanted to thank the Town Board for initiating this proposed local law for the residents of Clintondale. He stated that he thought the law had a great framework, but he felt that it could use some language on things like set-backs, noise and screening. He stated that he felt the Town Board should consider some set-backs for parking, consider some trees or bushes for screening and some fees to be charged if regulations are not followed. He stated that these fees should not be low where paying them would be the cost of doing business. If the activity continues, then there should be heftier fines imposed.

Supervisor Croce stated that he just wanted to make sure everyone understands that this local law is broad and does not address a specific farm or business or facility. He stated that he knows there is a situation that has been creating problems, but this local law is to help all residents throughout Town in regards to health and safety of any Ag facility in an Ag District. He stated that the Town Board's plan was not to adopt this local law this evening and to leave the Public Hearing open so that they can review the comments and concerns to make modifications to this draft law.

Councilwoman Delgado also explained that this local law was for many different situations. The specific conditions are addressed by the Planning Board process.

Councilman Putnam stated that the Planning Board will be reviewing these site plans.

Supervisor Croce stated that, as part of the Planning Board process, they hold Public Hearings on proposed projects where residents can make comments.

Councilman Farrelly stated that when the Town Board finally gets this law adopted, if there are constant violators, he too would like to see that there are stricter fines.

Mrs. Fitzpatrick stated that she was just coming back from a vacation and was not really prepared for this, this evening, however she wanted to state that she has concerns about activities at Hurds Farm/Tony's Orchard. She stated that there are already opportunities for the farms to apply to the Town for Site Plan Review and she is aware of things going on that are not under Ag. & Markets review. She stated that she asked over a year ago about Tony's Orchard and was told that they were coming in

for site plan review. As far as she knows, they have not been before the Planning Board yet. She stated that she felt this was a way for these businesses to get around the process and go through a backdoor.

Supervisor Croce stated that, as he stated before, there were things that the Town was told, by Ag. & Markets, that we could not touch and we could not regulate. But now, we got a letter on March 8, 2016, saying that there are things we can regulate. This is a total turnaround on their position.

Mrs. Fitzpatrick stated that she had never complained about the activities at the farm because they were farm related activities. Now, since 2014, they have expanded into an outdoor "Chucky Cheese". They are charging activity fees and they have the jumpy pad and gem mountain. She stated again that they were asked to supply the Town with a site plan over a year ago and have not done so. Now this local law is being introduced.

Councilman Farrelly asked her if she was sure they had not been in because he asked a question the other day, in the Building Dept., about the "Cow Train" and he got the answer that Ag. & Markets said "if there is a cow-train and it stops to let people off to pick fruit, then it is covered by the Ag. Department".

Mrs. Fitzpatrick stated that she asked and was told they had not submitted the site plan as yet.

Mr. Palazzo, from Crescent Avenue, stated that this farm next to him is a multi-business and it is more about entertainment than farming. He thought that most of the activity had to come from farming.

Supervisor Croce stated that he understood what he was saying, however, in his opinion; Ag. & Markets has been very difficult to deal with.

Mr. Palazzo stated that he also only sees one ingress and egress. There should be a second entrance/exit somewhere else on the facility. He stated that he is part of the Clintondale Fire Dept. and he remembers another situation where the facility burned to the ground because the Fire Dept. could not get in to fight the fire with everyone leaving through the same entrance/exit.

The Town Board made note of this issue.

Councilwoman Delgado stated that the other issue with many of these facilities is that they are calling themselves "Agri-Tourism". They can do just about anything to bring people into their farm, and it is OK. She stated that when Ag. & Markets Officials were here, there was a lot of conflicting opinions. We would ask a question and obtain a response, and then the next person would speak and contradict what the other just said. It was very confusing.

Mr. Palazzo stated that he thought a larger percentage of the business had to come from the farming. All those pies have to add up.

Councilwoman Delgado stated that they were told if produce came from the farm, they were covered.

Supervisor Croce stated that the other problem is that no matter what the law or rule is, people get very creative in finding ways to get around them. He stated that the facilities can have auxiliary businesses; however the largest part of the income has to come from the growing and selling of crops. They have to supply this income information to Ag. & Markets.

Mrs. Fitzpatrick asked how this was monitored?

Supervisor Croce stated that he was not sure if the Town has the ability to ask for this documentation. That was part of our question to the Dept. of Ag. & Markets. Do they do a thorough investigation of the finances? We are not sure and we have not gotten a direct answer from them.

Mr. Doubrava stated that this is the question; what is Ag and what is not. Where is the transparency? Anyone with some property can do whatever they want and get away with it under the Ag Law.

Supervisor Croce stated that that was what they were trying to do here with this local law. He stated that he felt the Town has the duty to look at things like noise, traffic and hours of operation. They told us we could not regulate these things and now they are telling us that we can. He stated that he felt they were all saying the same thing here. Someone who wants to derive their living from Ag is something that we can all get behind, but when they start to do things that are questionable as Agricultural, then we have to be able to step in and lessen the impacts on the community.

Mr. Doubrava stated that he would like to see the situation near him stopped and then it would be on them to come in and fight to get it back. It should start here at the Town level. A sham farm is a sham farm. He then invited the Town Board to come to his property to see and hear what is going on.

Supervisor Croce assured him that the Town Board has been to this area to check out what is going on.

Ms. Valerie Smith stated that she had two questions. The first one was that these people who are speaking here tonight have specific situations; will current situations be covered by this local law? If they are already doing things, will they have to now come in for this site plan? And the second question; she stated that she felt this really needed to be a coordinated effort and she did not see any reference to them having to have a Public Hearing. Also would this application have to be re-submitted each year to the Building Dept. or Assessor?

Supervisor Croce stated that this is one of his questions that has not been answered yet. Can we bring in those that have already been given approvals? This is a question for the attorneys.

Mr. Palazzo stated that they are also bringing in alcohol; is this OK with Ag. & Markets?

Mr. Castillo stated that if they are having alcohol, they are supposed to obtain the proper permits. He stated that he felt the law was not perfect, but we have to start somewhere. That is what the Town Board is trying to do.

Mrs. Fitzpatrick stated that she has been at many, many Town Board Meetings and she has read and talked about the Town Codes and Hurd's and their farm. We already have codes about traffic and noise and lighting. There are already things on the books. When are they going to be held responsible for what they are doing?

Mr. Gilbert, from Palazzo Lane, stated that someone was talking about pre-existing uses and it seems that there are two different things; non-conforming permissible activity and non-permissible activity. These are not the same. He stated that non-conforming permissible would mean that the person did not come and obtain a permit, which can be fixed. The other, non-permissible, means that it is not allowed. He asked, since weddings are not in the Zoning Code then farms doing weddings is not permitted, will this new law permit some of these activities to be regulated by the Town? He stated that last year Ag. & Markets said the Town could not regulate these things and this year they are saying you can. It seems that they are more open to Town regulations.

Supervisor Croce stated yes, they are changing positions. But they are cagey with their words. They are saying that if we do this, we could possibly be in violation of Ag. & Markets Law. But we are going to go ahead with this and try to regulate health and safety. He stated that he said before that no matter what the law is, there will always be someone who will try to do something creatively to circumvent the law and be legal in the eyes of Ag. & Markets.

Mr. Gilbert asked if the Town Board was looking at permitting certain activities?

Supervisor Croce stated that it is something that they can think about, but the question then is can we legally specify what activities require a special permit.

Councilwoman Delgado stated that there are other farms having weddings and they are not creating problems. Just because there is a situation where there is a problem does not mean all these situations are creating problems. She stated that a neighbor of her's just had a wedding in their back yard and she would not want to tell these people they cannot do this.

Several people stated that they were not talking about private home weddings; they are talking about a business of doing weddings every, or almost every, weekend.

Mr. Gilbert stated that he understands that she is saying, but he feels that when someone comes in, say for a permit for a wedding, the decision would be made whether they need to have parking or lighting or other concerns.

Supervisor Croce stated that the things he is talking about noise, parking, lighting, are all the items that the Planning Board would be looking at on a case by case basis. The review of the site plan would take into account specific, individual requirements and he would say that we have educated people on our Planning Board and they would be able to make these proper decisions.

There was more discussion with Mr. Gilbert and he suggested that the local law should set out a list of requirements for the Planning Board to consider.

Mr. Doubrava asked if there was a mechanism in place to gather information from other areas of the State that may be dealing with these same issues? Can our Town Board speak with members of other Town Boards to see how they are handling these types of situations? He stated that he knew of another Town that was having similar problems.

Supervisor Croce stated that, outside of Ulster County, there is not really a mechanism, but if he would supply him with the name and phone number from that Town, he could make that call.

Mr. Doubrava stated that he would get the number to him. He stated that he felt, by Ag. & Markets telling us what to do and not do, that we are being governed by people who are far away from us and he feels that this is an unfair situation.

Supervisor Croce stated that he felt the same.

Mr. Doubrava stated that a lot of what we are talking about tonight is reactive and he feels we should be more proactive. This is about setting up parameters and they will be different for every operation. He stated that he felt it is a very unfair situation for them because they are the ones who have to have patience and his is running low. He stated that it is not just the weddings, the trucks come in and out all week and the tent is put up and even when the wedding is over, the tent is still there and it is constant.

Ms. Smith stated that she just wanted say something about Councilwoman Delgado's comment that there are some farms doing these things and they are doing it right because they are not receiving negative comments.

Councilwoman Delgado stated that she did not say they were doing it "right", she said that they were doing some of the same things and not receiving negative comments.

Ms. Smith stated that she did not mean "doing it right" she meant that she said they were not receiving negative comments. What she is trying to say is that proper planning works the best for everyone. And it is for the benefit of the farmer to come in and do this expedited site plan so that a new

person purchasing the property next door cannot say there is a problem. The farm will be covered. It is a lot less restrictive than doing a regular site plan.

Mr. Gilbert asked if there was going to be a cut-off date for comments and when this will be ready to be adopted?

Supervisor Croce stated that he could not say. He stated that they will be leaving the Public Hearing open and the Town Board will have to review all the comments made here tonight, plus the ones that were and may still be received in the mail and he will have to sit down with the Town Attorney. There is a lot to reconsider. He stated that he will try to move it forward, but cannot say by the end of the year.

Mr. Gilbert asked what would happen if someone completely ignores this law once it is adopted?

Supervisor Croce stated that he was sure the Town Code contains information on what happens in that type of situation. He stated that he felt putting something into a local law and not have substantial penalties attached to it for violating it, would only be kidding ourselves. He stated that he only received his e-mail this afternoon, but did see that a portion of it is on penalties for violating and continually violating it. He is very much interested in putting penalties into the law, but will have to speak with the Town Attorney to see what is allowed.

Supervisor Croce stated that he felt we were getting a little off track here. He stated that he did not envision the Town giving out permits for things. When someone comes in and their site plan goes before the Planning Board, it will either be approved or not approved.

Mr. Doubrava asked if it would be a good idea to make sure the Police know that there is an evening activity going on and they are serving alcohol?

Councilman Farrelly stated that he felt enforcement of violations is only as good as the people who enforce them. He stated that if there is a complaint at mid-night, they will probably have to call the police who can then document the violation and issue the complaint.

Supervisor Croce stated that we do have a noise law and the Police are the ones who enforce it.

There was a discussion that the Ulster County Sherriff's Dept. is the department that dispatches our Town Officers and they should be contacting one of our Officers, who is on duty, to take the complaint. There was also discussion by some in the audience that they have called in the past and no one seems to be keeping a record of the complaints.

Mr. Castillo stated that a suggestion is to have anyone having an event, put in an application to the Police or Town Clerk so that they will know when there is an event being held.

Mr. Knudsen stated that he is planning on selling Christmas Trees and this is definitely something that would fall under the Ag. & Markets law. There will be people coming and going, but no bouncy pads. He wanted to know if he would have to put in for a site plan?

Supervisor Croce stated no, what we are doing here is what the Ag. & Markets have stated as regulating the health and safety. We all have to be reasonable and use some common sense. People driving in and cutting down a tree should not be something that will affect the neighbors.

Councilwoman Delgado stated yes, unless you are planning on using chainsaws or maybe only having one ingress and egress that causes traffic on the street. You have to be careful of how you word this.

Mr. Palazzo asked if the Planning Board members would be going out to the site?

Supervisor Croce stated that he did not know. He would have to ask the Planning Board. He stated that he does know that everyone on the Town Board has been out to the Liberty View Farm site.

Mr. Palazzo stated that any member of the Town Board can come and sit on his front porch. He has people come in his driveway thinking that they are going to the farm. He has to put cones out and one time put his car at the end of the driveway to keep them from driving up to his house. He has people walking on his lawn and sometimes there are glasses and bottles thrown on the lawn.

Supervisor Croce stated that he noticed someone had put a chalk-board sign out on the road.

Mr. Palazzo stated that the farm finally put up that sign. He stated that people are also walking through his property all hours of the night.

Supervisor Croce stated that he did not feel Mr. Palazzo should have to put up with these issues.

Mr. Tony Palazzo stated that he owns property near the farm, but does not live there. He stated that he has been listening to all the complaints from these neighbors for quite some time. The person running Liberty View Farm has been doing so for the past 5 or 6 years with no concern about how he is affecting his neighbors. He stated that he felt the Town would have to come up with something pretty substantive to have an effect on this person. If he is making \$20,000.00 or more on an event, the fees will have to be pretty high to make him listen. He has a total disregard for everyone around him. He stated that he has an outhouse for his workers on his property and this guy uses it for his business. He tells his guests that they can walk around and go on our properties and see the views for taking pictures.

Mr. Doubrava stated that the trespassing is a big issue. He stated that he has had people walking through his property and when he questioned them, they say they were told they could walk around there. He stated that he has not called the police because he does not want to arrest these people. They are being told that they can trespass.

There was more discussion about people leaving the farm and walking on all the adjoining properties.

Councilwoman Delgado stated that to have these incidences documented, they should call the police.

There was a question as to whether the Town could go in and stop these events if there were documented violations.

Supervisor Croce stated that he was not sure. He would have to contact the Attorney. We went from Ag. & Markets telling us that these situations were under Ag. & Markets and there was nothing we could do, to them now saying that we can regulate them. But if we do, it is still possible that we could be violating Ag. & Markets Law.

There were no further comments or questions from the public.

* Supervisor Croce made a motion to leave open the Public Hearing on the proposed Local Law For Site Plan Review of Properties In A Designated Agricultural District under Article 25-AA§305 Of The Agricultural and Markets Law Of The State Of New York.

Councilwoman Delgado seconded.

On the vote: all ayes.

Supervisor Croce thanked everyone for their comments.

MINUTES

* Supervisor Croce made a motion to dispense with the reading of the minutes from the August 17, 2016 Regular Town Board Meeting.

Councilwoman Delgado seconded.

On the vote: all ayes.

* Supervisor Croce made a motion to accept the minutes from the August 17th, 2016 Regular Town Board Meeting.

Councilwoman Delgado seconded.

On the vote: all ayes.

ADDITIONS

Supervisor Croce stated that he had three additions to the evening's agenda.

1. Budget Meeting Dates:

Supervisor Croce wanted to remind the Town Board to have possible dates for Department Head Budget Meetings in October for the next Town Board Meeting.

2. Request To Transfer Highway Funds:

Supervisor Croce read a request from the Highway Superintendent to transfer funds from the Snow Removal Contractual Budget line to the Machinery Contractual Budget line to cover unforeseen expenses.

* Supervisor Croce made a motion to transfer \$10,000.00 from the Highway Fund Account Budget Line #DA5142.4 Snow Removal Contractual to the Highway Fund Account Budget Line #DA5130.4 Machinery Contractual to cover unforeseen expenses until the end of the year.

Councilman DePew seconded.

On the vote: all ayes.

3. Library Negotiations:

Councilwoman Delgado stated that Councilman DePew and she had asked the Library Trustees to give them a list of questions that they had for the Town Board in regards to purchasing the Library Building. She stated that she had the list from them and she gave the Town Board copies.

Councilman DePew suggested that the Town Board go into Executive Session to discuss some of the questions.

Councilwoman Delgado stated that they also discussed that there is an oil tank in the ground and they were concerned who would be responsible for this.

Mr. Wager, the Highway Superintendent and facilities manager, stated that he is not aware that there is a tank in the ground.

Councilman DePew stated that he explained to them that they would have to set up an escrow account to pay for attorney's fees. He stated that he would also like to enter into Executive Session to discuss the cost for the property.

Mr. Mark Reynolds, a local reporter, asked if the Town had any restrictions on selling the property? Could they just sell it to the Library?

Supervisor Croce stated that he did not have an answer to that question as yet. He does know that there are rules and regulations that they would have to follow.

Councilman DePew stated that he also had questions about only part of the Town being serviced by this Library. The Library is tied to the Wallkill and New Paltz School District boundaries and is not supported by the Highland or Marlboro School Districts.

* Councilman DePew made a motion to enter into Executive Session to discuss the possible sale of the Library Building property at 9:29 PM.

Councilwoman Delgado seconded.

On the vote: all ayes.

* Supervisor Croce made a motion to close Executive Session and re-open the Regular Town Board Meeting at 10:00 PM.

Councilwoman Delgado seconded.

On the vote: all ayes.

SECTION 1 – CORNERSTONE PHONE COMPANY CONTRACT

Supervisor Croce explained that he had contacted Mrs. Dietrich, from the CornerStone Phone Company and had received a copy of a one year contract and a two year contract. He stated that he gave the Town Board a copy and asked them to review it for this meeting.

Supervisor Croce stated that he wanted to thank Councilman DePew for putting in a lot of work reviewing other companies and plans.

Councilman DePew stated that if the Town Board had wanted to go to all internet lines, there could have been a larger savings to the Town.

Supervisor Croce reminded him that the Town Board had made a decision that they did not want to go to all cable lines. There are bundles of lines with one being a copper line for safety purposes. He stated that with the 2-year contract, we will still be saving \$26.70 per month.

* Councilman Putnam made a motion to enter into a 2-year contract with CornerStone Phone Company.

Councilman Farrelly seconded.

On the vote: Supervisor Croce	Yes
Councilman Putnam	Yes
Councilman Farrelly	Yes
Councilwoman Delgado	Yes
Councilman DePew	No

SECTION 2 – HIGHWAY VEHICLES TO BUILDING DEPT.

Supervisor Croce read a memo from the Highway Superintendent suggesting that the two Highway pick-up trucks that were replaced this past year, be given to the Building Dept. for their use since the two Building Dept. vehicles are in poor condition, the car has already been removed from the fleet and the pick-up truck has a rusted frame. Neither one would not be worth fixing. The memo stated that both 2007 pick-up trucks are 4-wheel drive and have extended cabs.

There was discussion on what would happen with the old vehicles and it was thought that they could be sold in “as is” condition.

* Councilman DePew made a motion to discard, sell or auction the two vehicles B-8 and T-3, from the Building Dept., and replace them with the two used 2007 Chevrolet pick-up trucks that were recently replaced in the Highway Dept. fleet.

Councilwoman Delgado seconded.

On the vote: all ayes.

SECTION 3 – VOUCHERS

* Councilman DePew made a motion to pay the Voucher Detail Report dated 9/7/2016, which includes: the General Fund amount of \$48,260.58, the Highway Fund amount of \$21,607.41, the Clintondale Light District amount of \$690.71, the Modena Light District amount of \$1,239.20 and the Trust & Agency amount of \$1,109.00 for a total amount of \$72,906.90 recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment.

Councilwoman Delgado seconded.

On the vote: all ayes.

SECTION 4 – ADJOURNMENT

* Supervisor Croce made a motion to adjourn the meeting at 10:10 PM.

Councilwoman Delgado seconded.

On the vote: all ayes.