

COPAKE TOWN BOARD MEETING
PUBLIC HEARING
APRIL 10, 2008

At a public hearing of the Town Board of the Town of Copake the following were present: Supervisor Crowley, Councilperson Gabaccia, Councilperson Sacks, Councilperson Tompkins, Councilperson Kiernan, Highway Superintendent Proper, and Attorney Kevin Thiemann.

The purpose of the hearing is review Local Law # 2 for the year 2008. A Local Law increasing the membership of the Copake Planning Board from 5 to 7 members.

Supervisor Crowley opened the public hearing at 7:00 pm with 62 people present.

Town Clerk Hotaling read Local Law #2 of the year 2008.

Supervisor Crowley asked to keep comments under two minutes.

Mr. Spampinato, a resident of Copake for 18 years, said he's in favor of a 7 member board, he feels it would bring a greater diversity of opinion to the board.

Councilperson Sacks asked if since his dealing with the Planning Board was there ever a lack of a quorum? Mr. Spampinato replied yes, and many nights when there was just a quorum.

Morris Ordover read the following statement:

I stand to speak against increasing the size of the Planning Board from five to seven members. For many years, a period during which I served as a member of the Planning Board, the Board has successfully and intelligently operated with five members, never during the period I witnessed failing to have a quorum of members present needed to conduct business. Its members developed a professional knowledge of zoning and applicable laws.

The Board acted on many matters, large and small, always adhering to the principal that growth is necessary, but must be achieved under the law. Actions have always been taken under the State and Town laws governing zoning and land use as well as the State and Federal environmental laws with the same purpose. The Board and its past Chair have been honored for the professional manner in which it worked.

Now an action is urged to increase the membership of the Board by members of the Town Board who have never, during any time that I served on the Board or thereafter when I was at meetings, attended a Planning Board meeting to witness how the Board operates. That is except

for one occasion when a current Town Board member appeared at a hearing with the attorney for Copake Valley farms to speak up for its owner, Sal Cascino, an entity against which the Town is now suing in a law suit to stop its actions in violations of Town Law.

Many individuals speaking up tonight do so because they are personally unhappy about Board actions on issues they have brought before it. The Board acted under the law. Members cannot act upon personal opinions as they would face law suits if they did. Some would want to form their own zoning district so they could approve construction themselves on undersized lots, something that is reserved to the Town under State law and would lead to a substantial weakening of the zoning code that protects all of us from haphazard construction. Others are unhappy with restrictions on building size under Town law or location near water under State law.

I urge the Town Board to retain the present five member Planning Board. It's not broken and there is no need to fix it to meet individual self interest. I read this statement to avoid any confusion about it, and ask that a copy be included in the record of these hearings.

Supervisor Crowley read letters from the following:

Mac Simms opposed to Local Law

Diane Wilson in support of Local Law

Doug Goodhue in support of Local Law

Marcia Becker asked if the Town Board takes the advice of the heads of other departments?

Supervisor Crowley replied sometimes, but the Town Boards prime objective is to do what's the best interest for the town.

Councilperson Gabaccia said the board delegate's responsibility to the different committees, personally I weigh heavily upon recommendation of chairpersons of committees.

Harvey Weber presented the board with a petition with 47 signatures in favor of the Local Law.

Councilperson Gabaccia went back historically on how we got to where we were with the Planning Board to understand. At one point there was a 7 member board 23 years ago, at that time the entire board resigned and then a 5 member board was created, I feel the 5 member board has worked effectively since. I do support to remain at five members but I also understand that given the dynamics of government that sometimes we have to compromise. I would be willing to move to a 7 member board to create diversity with representation for different areas of the town. The current Planning Board would like to wait a few months to make the transition as they have lost Edgar

Masters, who was a driving force behind the board, they should have the time with 5 members and then consider moving to 7 members six months down the road.

Marcia Becker said they would be open to expanding once the board has 5 members, we need more time to get the fifth member trained.

Supervisor Crowley asked, wouldn't it be easier to train 3 people at once.

Marcia Becker replied it would take 6 months just to get comfortable using the book.

Councilperson Gabaccia said the Planning Board is showing confidence in the town board by agreeing to compromise I think the town board should show confidence in the Planning Board and allow them to remain at 5 members for the next 6 months.

Marcia Becker said would it help to tentatively expand to 7 with 5 members voting and the other 2 be on board to see what happens.

Supervisor Crowley replied the way the state law reads who ever is appointed to fill the vacant position has all the voting rights of the member, if we add 2 additional members they cannot debate or vote on anything that is presently before the board.

Mr. Bienstock, a Copake resident, said he's in favor of the 7 member board.

Mr. Ordover said the Planning Board is not a matter of opinion; it's based on the law.

Ms. Flint said it's not an advisory board, they have rules and regulations they need to follow.

Supervisor Crowley said he checked with every Supervisor in the County - every town in Columbia County has 7 members except Gallatin, Copake and Austerlitz. He said he had an e-mail from Austerlitz Supervisor stating they had a seven member board but reduced to 5 because they couldn't find enough people interested. An e-mail from New Lebanon Supervisor stating they have 7 members, it makes better sense that decisions with huge impact on towns development not be determined by only five people.

Marcia Becker asked the board if they want to work with the board on a compromise.

Supervisor Crowley replied we always want to work with our committees but we also have to do what is in the best interest for the town.

Bernice O'Connell, Copake resident, is in favor of 7 member board.

Councilperson Gabaccia asked do we have a recusal issue here.

Supervisor Crowley replied this is not brought up because of Mr. Cascino, or any other individual in town, the reason is the comment made at January meeting that the Town Board make an appointment to the Planning Board because they were concerned about quorum.

Morris Ordover said the new members would not have right to vote on issue presently before the board. Supervisor Crowley replied yes.

Frank Peteroy stated he dose not see what Copake Valley farms has to do with the Planning Board.

Councilperson Gabaccia said she's satisfied as long as the 2 new members will not be able to vote on any issue currently before the board.

Councilperson Tompkins said we could have someone from the state come down and train the board.

A motion was made by Councilperson Kiernan, seconded by Councilperson Tompkins the hearing be closed. Motion carried. Hearing closed at 7:40 pm.

Supervisor Crowley opened the regular meeting at 7:42 pm with 62 people present.

A motion was made by Councilperson Kiernan seconded by Councilperson Tompkins to go into executive session with Police Commission on personnel matters. Motion carried.

A motion was made by Councilperson Gabaccia seconded by Councilperson Tompkins to return to the regular meeting. Motion carried.

Councilperson Sacks asked for an amendment to the minutes of March 8, 2008, meeting to reflect that he asked Councilperson Tompkins and Supervisor Crowley if they were aware of Councilperson Kiernan changing the minutes and their answer was no.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia the minutes of March 8, 2008, be approved with amendment added.

Councilperson Tompkins asked what his question was.

Councilperson Sacks said last month he asked prior to reading statement if you were aware that Walt changed the minutes.

Councilperson Tompkins said I don't believe the minutes were changed under state law so I said no.

A motion was made by Councilperson Kiernan seconded by Councilperson Tompkins the minutes from March 8, 2008, be accepted as written. Councilperson Gabaccia and Councilperson Sacks voted NO. Motion carried.

Councilperson Gabaccia asked that the minutes of March 21, 2008, be amended to add that Highway Superintendent Proper said that he does punch the time clock.

A motion was made by Councilperson Kiernan seconded by Councilperson Tompkins the minutes of March 21, 2008, be approved with amendment added. Motion carried.

A motion was made by Councilperson Kiernan second by Councilperson Tompkins the minutes from March 21, 2008, be accepted as written. Motion carried.

Supervisor Crowley read the following correspondence (see attached):

1. Letter from Shawn McClain resignation from the Economic Advisory Board.
2. Letter from Dale Salsman – Consider this letter as Neopolis application, pursuant to section 232-12 of the Town of Copake’s Zoning law, for creation of a Planned Commercial-Industrial District (PCID) with respect to the land. Request that the Town Board refer our application to the Town Planning Board for consideration.
3. Letter from Stephen Balducci resignation from Assessors effective May 31, 2008.
4. Letter from Jeremy Holdridge resignation from Code of Ethics.
5. Letter from Marcia Becker, Planning Board Chair, not ready for seat on Comprehensive Planning Committee, ask to keep open.
6. Letter from Robin Bruce requesting compensation at \$13.80 hr. for Williams Cemetery.
7. Copake Planning Board recommends the Town Board approve the name of Copake Valley Road for a Common driveway in Copake. On the west side of Two Town Road just north of State Route 23 on the property formerly known as the Steiner property.
8. Letter from Morris Ordover resignation from Comprehensive Planning Committee.
9. Letter from Clara Martin resignation from Conservation Resource Committee.
10. Letter from Mike Bradway requesting permission to keep Dylan Hotaling as Park Maintenance at an hourly rate of \$10.00 per hour.
11. From Ultra Clean an estimate of \$1,552.00 for carpet cleaning in the town hall.
12. Letter from Doug Goodhue maps of drawing of the purposed housing development have been hanging on the wall for many months, I believe they are out of place and should be removed. Superior Crowley replied they have been moved.
13. Letter from Northern Dutchess Paramedics asking for letter of support for application for the determination for public need. Attached a letter from the Community Rescue Squad Inc. stating they do not support this request at this time. Supervisor Crowley said the County worked hard on this plan to get certificate of need and this is a plan by NDP to get the jump on the gun before the County can get their application through.
14. Mac Simms complimenting the Highway Department on tree removal and cleanup.
15. Letter from Copake Day Committee inviting the town board to participate in parade.
16. From Michael DeRocha letter of resignation from Park Commission.
17. From Pinnacle Roofing, proposal for roofing school house.
18. Department of Health dates of rabies clinic in County.

Councilperson Sacks read letter from Planning Board recommending appointment of George Filipovits.

Councilperson Gabaccia read the following letters;

1. From Planning Board having legal discussion in reference to Catamount therefore defer any recommendation at this time pending more information.
2. From Larry Proper regarding schedule of town attorney.
3. From Mr. Cascino e-mail in reference to denied building permit.

Supervisor Crowley said he talked early with Attorney Whitbeck and was advised to forward the e-mail to him.

Councilperson Sacks said he believes Mr. Cascino was wrong he has not been denied; he must follow through with the process, he needs to go to the Planning Board.

Councilperson Gabaccia reported the Court received a \$3,000.00 grant for jury box.

Harvey Weber, Senior Committee: Will be holding a dance and June 10th Sheriff Department will be speaking with seniors about contacting them daily.

Harvey Weber Environmental Committee: Lisa Jarvis to attend April meeting to inform the committee what the County is doing.

Kathy Avery, Conservation Resource Committee: Will be holding a public meeting to introduce them, tentative May 10th at 10:00 am. Will have survey on what they value on natural resources. Two openings on board.

Charles Dodson, Economic Advisory Board: Copake Clean Up Day May 10th, will be advertising. Proposal for grant submitted to Hillsdale, Ancram and Copake Town Boards for approval.

Chris Quinby reported Copake Day committee will be meeting April 12th.

Supervisor Crowley sent letter to Assemblyman Molinaro asking for money for defibulator in the park and town hall; he responded, it depends on budget.

William Newcomb, Ro-Jan Park: Will remain working farm with 300 acres of open space park, with 4 trails, one to bird sanctuary, wetlands and wooded trail. Opening day May 31, 2008.

Comprehensive Planning Committee: Councilperson Sacks reported Art Basin made a great presentation.

Kurk Kneller thanked the Town Board for choosing the Brad Peck Agency.

Councilperson Gabaccia said there will need to be a change in the Police Commission. Due to New York State Law the Supervisor can only be sole commissioner. There are three options: Supervisor as sole commissioner, three commissioners, or one commissioner and two board members.

Supervisor Crowley said he's willing to step down as commissioner and advertise for a commissioner.

Councilperson Gabaccia said she was informed by a citizen that she put in application for Police Commission in February, does anyone know what happened to it.

Supervisor Crowley replied it's on his desk and they'll consider that application.

Councilperson Sacks read the following statement:

In most cases we judge people and politicians not by their campaign promises but rather by their actions. Two years ago Councilwoman Gabaccia and I were fresh, energized and enthusiastic. Here is just a short list of what a bipartisan effort of Republicans and Democrats did in our first few months.

We started an environmental committee, a committee for seniors, and a policy committee to establish good governmental practices. We started an ethics board and created a teen program. All this was completed with the unanimous vote of the town board by both Republicans and Democrats.

I am proud of our accomplishments. I think it is fair to say that above all else, we always had the best interests of all the people of the town at heart.

The reason I bring this up is that on March 21st, 2008, the Independent Newspaper reported on a story about the ongoing Copake Valley Farms case. The paper quoted Attorney Whitbeck as saying the "The town's position is that Mr. Cascino needs to go through the proper channels and make application to the Planning Board." Asked what Mr. Cascino's position on that idea was, Mr. Whitbeck said, "Frankly, he continues to say that the town's zoning is oppressive to his operation."

*That comment, that the **town's zoning is too oppressive for Mr. Cascino's operation**, started me thinking about the first three months of this administration as compared to my own. It is my observation that most of the activities by the majority of this board either intentionally or unintentionally has been to try to reduce the zoning restrictions of this town which would make it easy for companies like Copake Valley Farms to continue their operations without restrictions or town oversight.*

This new board has watered down the effectiveness of the Comprehensive Planning Committee against all competent advice, including the experienced members of the town board and NY Assemblyman Marc Molinaro. Assemblyman Molinaro was stunned when he heard that we had 15 members. Mr. Molinaro said he had advised that 5 to 7 members were the correct number to start with. The same number that I and Linda Gabaccia had stated publicly here in this room.

Then we have the strange case of Supervisor Crowley suggesting to me that I should recuse myself from any Cascino matters. Why I asked? His answer was that because Sal Cascino made a complaint to the Attorney General and he mentioned me. How convenient? Sal Cascino files a complaint against the entire town board and at almost the same time Walt Kiernan attempted to change the minutes of the Copake Town Board to say that I made an inflammatory statement. And the supervisor suggests that I should recuse myself? Walt wasn't asked to recuse himself and didn't recuse himself, but I get the request from the Supervisor that I should. What do you make of that agenda? I am still speechless.

Now we move on to the Planning Board. Against all recommendations by the planning board chair and the planning board members, there is still an insistence to change the planning board to 7 members. This is an award winning planning board. Why do you think that change is being pushed and forced on us? Is it possible that this move is to pack the planning board with members who believe that the town's zoning is too oppressive to operations like Copake Valley Farm?

Several times people in the room have asked for the agenda of the newly constructed town board. I too am asking. What is the long term agenda of this majority? Why do you so willingly disregard the recommendations of the hard working town committees and boards?

What is your experience with these committees? Have you ever been to a Zoning Board meeting? How many planning board meetings have you attended? You have clearly made NO attempt to understand how planning works.

How is it possible that you are so comfortable with zero knowledge of the planning board process, that you wish to change it? Why not wait till you understand it? What is the rush?

I think Copake's hard working people have a right to know, exactly how and why do you intend to change the zoning and planning laws of this town?

Gentlemen of the majority, do you agree with Mr. Cascino? Do you think that the town's zoning is too oppressive to Mr. Cascino's operation?

Councilperson Gabaccia reported the following:

My report this evening will be brief. I have submitted a grant on behalf of the Ironworks Schoolhouse Project to the Hamburger Helper Helping My Community Program, requesting \$15,000, the maximum given, to assist with the roofing and window phases of the project. I will have their response by the 30th of this month.

I continue my efforts on the municipal cell tower project for the Town of Copake and hope to have a presentation for you all by next meeting.

And finally two procedural notes for my fellow board members. One regards vouchers. I, at this point, will no longer sign any voucher which does not bear the authorizing department head signature. For some departments, such as the Planning Board, which is dealing with large escrow account funds, the following of proper procedure is essential to prevent the paying of bills twice. I also would urge all individuals to get their invoices submitted with vouchers properly signed so that Larry as Deputy Clerk has ample time to present the Town Board with completed

documents for signature. Adherence to procedure reduces the likelihood of mistakes and safeguards the taxpayers money.

Secondly, I would like to encourage more communication between fellow board members regarding town matters. Councilman Tompkins and I speak regularly as I also do with Councilman Sacks in an attempt to keep each other informed as to ongoing issues. I would like to suggest that we do not miss anymore department head meetings even if the Supervisor and Deputy Supervisor are not available to attend because this meeting is the one opportunity we have to get together with all our department heads. And, in reality, there is always something going on worth discussing in Copake. I would also like to ask that my fellow board members forward pertinent received correspondence to each other to improve our ability to communicate and work with each other. Forwarding documents to some board members and not others is inexcusable.

Supervisor Crowley informed the public of the following:

1. Mortgage tax from October to March \$74,023.92
2. Hazardous Waste Day May 17th.
3. County has a non- binding letter of intent to purchase Ockawamick School for \$1.5 million.
4. Columbia County Clerk wants the Town to be aware of a telephone scam about purchasing deeds. If you renew Vehicle registration at the Department of Motor Vehicles the County receives 12%.

Supervisor Crowley read a bid of \$26,500.00 from Pinnacal Roofing Inc. for school house. If New York State Prevailing Wages apply add \$7,250.00.

Ed Ferratto said the building committee met April 1th with Pinnacal to revise the original estimate after looking at it he revised as such. Could deduct \$9,000.00 if done with asphalt singles. If done with budgeted money he would have to get prevailing wage.

Councilperson Sacks said at some point we need to address what our long term goals are for the building. He said he would lobby to protect the building now.

Supervisor Crowley said there was a letter written to the Supervisor that if renovation was not completed in 2 years the property would be turned back to donor plus the \$10,00.00 therefore until this matter is cleared up I'm kind of hesitant to put money into it.

Councilperson Gabaccia said is the letter more or less to give the owner the opportunity to exercise his rights should nothing happen with the building.

Mr. Keeler said there are restrictions in deed that if the town doesn't properly control the building to his liking he can take it back.

Councilperson Tompkins asked that the Town Attorney act quickly on this matter.

Councilperson Gabaccia said I don't believe the original owner has any interest in recouping the property.

Councilperson Sacks said in November elections we will be mandated to go to computer voting and registration will be the same you mark off your paper ballot and put in scanner.

Ed Ferratto ZEO:

1. The unsafe building in town has been taken down
2. Copake Lake Island, talked with Mike Higgins of DEC they have a wetland fresh water permit good till May 2008.
3. Taconic Meadow Mobil Park agreed to cleanup.
4. Charles Wanzel Road Department of Health cleaned up.
5. Yonderview Road has been cleaned up.

Supervisor Crowley said it's time for a new copier.

A Motion was made by Councilperson Gabaccia seconded by Councilperson Sacks to bid a new copy machine. Motion carried.

Dale Salsman and Attorney Steve Reily spoke on Planned Commercial-Industrial District for resort development at Catamount and referral to Planning Board.

A discussion followed.

Supervisor Crowley said he's afraid of setting precedence.

Attorney Thiemann said he has no objection to you giving them approval.

A motion was made by Councilperson Sacks seconded by Councilperson Kiernan to refer Catamount to the Planning Board for the creation of a Planned Commercial-Industrial District with respect to the land. This is not setting a precedence just a referral. Motion carried.

Mr. Rothvoss spoke on raw sewage being dumped on the Flood property, he asked the board if they have a copy of their permit from DEC.

Supervisor Crowley said he spoke with Supervisor Dias in Ancram and he contacted DEC and was told they have a permit to dump.

Councilperson Gabaccia said our own 194-3 is stricter than what DEC requires.

Councilperson Kiernan said the Town law cannot supersede State law.

Councilperson Sacks requested the Environmental Committee do research into the situation to find out what is going on. Supervisor Crowley suggested a letter of inquiry from Attorney Thiemann should be the first step. He requested a copy of that letter be

sent to Senator Saland and Assemblyman Molinaro as well. Councilperson Kiernan suggested Pete Grannis, Commissioner DEC, be contacted as well. Attorney Thiemann will look into DEC regulations and terms of the permit before he sends letter.

Motion made by Councilperson Sacks to compensate person-in-charge of Williams Cemetery @ \$13.80/hour as long as the \$500 budget is not exceeded, seconded by Councilperson Gabaccia. Motion carried.

Motion made by Councilperson Sacks to approve road name of Copake Valley Road for common driveway, seconded by Councilperson Kiernan. Motion carried.

Motion made by Councilperson Tompkins, seconded by Councilperson Sacks to retain Dylan Hotaling as park maintenance employee @ \$10/hour. Motion carried.

Motion made by Councilperson Gabaccia, seconded by Councilperson Kiernan to leave the Assessor's vacancy created by Stephen Balducci's resignation open until the November election. Motion carried.

Town Clerk Hotaling read proposed Local Law #2 of 2008 regarding increasing the Planning Board from 5 members to 7 members.

Marcia Becker, Planning Board Chair, offered the following: In the spirit of the best interest of the citizen's of the town, the Planning Board would consider two more applicants in 6 months from when the 5th member is appointed.

Councilperson Tompkins questioned: Since the two new members would not be able to vote on any actions before the current Planning Board, wouldn't it make sense for them to come on board now to learn the procedures from the present board during the next 6 months?

Mrs. Becker stated her concern that from an administrative point of view, there is a lot to consider, on top of the fact that there is still not a 5th member in place. She advised the town board to allow the current Planning Board to "get it together" before they bring on 2 more members.

Mrs. Lindig, Copake resident, questioned: Why not train 3 members at the same time rather than 1 now and 2 in six months? Wouldn't it make sense to train all 3 at the same time?

The following resolution was offered by Councilperson Kiernan, seconded by Councilperson Tompkins:

Local Law No. 2 of the year 2008. A local law increasing the membership of the Copake Planning Board from 5 to 7 members enacted by the Town Board of the Town of Copake as follows:

SECTION 1. LEGISLATIVE INTENT: The Town Board of the Town of Copake has determined that it would be in the best interest of the Town to increase the membership of the Copake Planning Board. This Local Law is hereby enacted pursuant to the provisions of Section 271(6) of the NY Town Law.

SECTION 2. MEMBERSHIP OF PLANNING BOARD: Following the enactment of this Local Law, the membership of the Copake Planning Board shall be increased from five (5) members to seven (7) members.

SECTION 3. AMENDMENT OF CHAPTER 12 OF THE TOWN CODE: Section 12-1 of the Code of the Town of Copake is hereby deleted and will be replaced with the following provision:

12-1 Increase in membership.

The members needed for the Copake Planning Board shall be increased from five members to seven members, who shall have the powers and duties and terms of office as set forth in Town Law 271.

SECTION 4. TERMS OF NEW MEMBERS: Any individual appointed to replace a previous Board member shall serve out the remainder of the said Board member's current term. The individual appointed to fill the position of the newly created sixth Board member shall initially serve a term of six (6) years. The individual appointed to fill out the position of the newly created seventh Board member shall initially serve a term of seven (7) years.

Thereafter, all Planning Board members shall be appointed for full terms of seven (7) years.

SECTION 5. EFFECTIVE DATE: This Local Law shall become effective immediately upon filing with the New York Secretary of State.

Resolution #11

Dated: April 10, 2008

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| Supervisor Crowley | YES |
| Councilperson Kiernan | YES |
| Councilperson Tompkins | YES |
| Councilperson Gabaccia | NO |
| Councilperson Sacks | NO |

Regarding appointment of 5 member (Edgar Master's seat) to the Planning Board, Councilperson Tompkins read resume of Copake resident Steve Savarese which includes a Bachelor of Science degree in Economics and a Masters Degree in Urban and Regional Planning from NYU and over 20 years experience.

Councilperson Tompkins proceeded to read the resumes of interested applicants to the Planning Board which included George Filipovits, Edwin Pilch, and John Brusie.

Motion made by Councilperson Tompkins, seconded by Councilperson Kiernan to appoint Steve Savarese as 5th member of Planning Board. Councilpersons Sacks and Gabaccia voted no. Motion carried.

Councilperson Gabaccia asked Supervisor Crowley, on behalf of George Filipovits, why he offered to support him (Filipovits) as 5th member to Planning Board and then voted against him. Supervisor Crowley stated he never made a commitment to anyone.

Motion made by Supervisor Crowley to appoint Louis Kibler, Chairman of Ethics Board, and Copake residents Hugh Davis and Joseph LaPorta to *Citizen's Committee to Nominate*. After discussion, it was decided to advertise for these openings before any appointments are made.

Public Comment:

John Keeler suggested fence around Highway Garage and gave short history on Schoolhouse Project including the terms of the deed on the transfer of the property to the town.

Elizabeth Williams asked the Town Board if they could get help with the flooding of the creeks on Main Street.

Jeff Nayer said with all the pork barrel money the state is spending ask them to give us money to fix the school house.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia to move the coke machine from the court room. Motion carried.

Mrs. Lindig said there is work going on at the old Telephone Garage, is that a zoning issue.

Jeff Nayer said he's retired from auto body and works on his own cars as a hobby. Supervisor Crowley asked Zoning Enforcement Officer to look into it.

A motion was made by Councilperson Kiernan seconded by Councilperson Gabaccia to go into executive session to discuss pending litigation. Motion carried.

A motion was made by Councilperson Gabaccia seconded by Councilperson Kiernan to go out of executive session. Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia the bills from general abstract # 4 and highway abstract # 4 be paid. Motion carried.

A motion was made by Councilperson Tompkins seconded by Councilperson Kiernan the meeting be adjourned. Motion carried.

Respectfully submitted,

