

PLYMOUTH TOWN BOARD MEETING

AUGUST 12, 2024

6:30PM

PRESENT: Supervisor Patricia Murray
Councilperson Kathryn Clemens
Councilperson Ray Elsworth
Councilperson David Collier
Highway Superintendent Louis Redenback

ABSENT: Councilperson Robert Oehme

Supervisor Murray led in the Pledge to the Flag.

Ms. Murray asked if the Board had any corrections to the minutes of the July meeting. She had already asked Mrs. Brown to make a correction. Mr. Elsworth made a motion to accept the minutes as corrected. Mrs. Clemens seconded the motion. The Board was polled and the motion was passed with four yeses and no nos. Councilperson Oehme was absent.

Mrs. Clemens said that Mr. Gladstone conveyed to her that he objected to the June minutes that appeared to state that he had been offered a position on Plymouth's Planning Board. The minutes were reworded for the sake of clarity. Mr. Gladstone had not been offered a position.

Mrs. Clemens moved to accept Resolution #29 of 2024, recommended by April Ray, bookkeeper. This amendment would Increase Budget line

A1420.4, Attorney Contractual by \$2,300.00, and Decrease budget line A1990.4, Contingent by \$2,300.00. The purpose is to cover the additional attorney fees the Town has incurred during 2024. Also, the second amendment recommended for the 2024 Town Highway Fund Budget which would increase line DA5110.0 General Repairs PS by \$30,000.00 and decrease line DA5110.4 General Repairs, Cont. by \$30,000.00. The purpose for which is to cover the next 2 biweekly highway payrolls. Mr. Collier seconded the resolutions. The Board was polled and the motion was passed with four yeses and no nos. Councilperson Oehme was absent.

DOG CONTROLL OFFICER'S REPORT: Mr. Brian Franklin reported that he only had one call on the Plymouth-North Norwich Rd. on 8/07/24. There were two dogs running loose. With the help of several people, he was able to find the owner. He asked Ms. Murray if she had had a chance to discuss the issue with anyone at the County about what to do with dogs whose owners were deceased. She said no.

Mr. Franklin said he had been wrongly accused by an employee of the SPCA of turning in a dog that he had picked up near the Norwich High School and turned into the SPCA on the recommendation of the City Police Dept. That would have made the Town of Plymouth responsible for the expenses the dogs would incur while at the SPCA. Mr. Franklin contacted the City Police about it. The Police cleared up the problem.

CODE ENFORCEMENT OFFICER'S REPORT: Mr. Steve Fox reported on the following:

- Did 3 site visits up on Henry Lane (Reservoir Hill Rd.). Spoke to one of the nephews that has been staying there. This was a follow up visit. The nephew said he was going to try to get the place cleaned up. He also spoke to Austin, who lives there. He said he was trying to get rid of the camper. The next step with them is an appearance ticket.
- Follow up on German Hollow Road, the Donnolly residence. They had cleaned up some. Still has some stuff next to the road.
- Complaint about garbage stock piled at 3189 Hwy. 23. Only saw two cans of garbage. Will keep an eye on it.
- Has heard nothing from Josh Kisner about a court date. Public Defenders office is short handed and they have not assigned anyone to Mr. Kisner.
- In talks with Wayne Case on the Reservoir Hill Rd. about doing a perk test for him.

Ms. Rhonda Fairbanks asked if Mr. Fox had done anything about another residence on the German Hollow Road. He said he would look at it.

HIGHWAY SUPERINTENDENT'S REPORT: Mr. Louis Redenback reported on the following:

- Vestal Asphalt was here to grind Pigeon Hill Road on July 22nd. Finished on the 25th with help from Georgetown. Some delay because of rain.
- Cutting brush and trees on Pigeon Hill and will continue Town wide as time allows.
- Hauling stone from Callanan back to Fullers.

- Storms keeping us busy between downed trees and washed out culverts. During the last storm, received 29 calls for trees blocking the roadway. One large culvert on Reservoir Hill Rd. washed out on one side of the road. That was fixed on 8/12/2024.
- Hired two new employees. They are fitting in very well.
- Paving on Pigeon Hill should be starting at the end of the month weather permitting.
- Followed by chip seal on different roads Town wide.
- Still have a lot of work to get done before winter such as pot hole repair, cut shoulders, work a few more dirt roads, dig more ditches, and cut brush.
- 8/12/2024 helped Pharsalia with paving and should be finished 8/13/2024. While paving there, truck #8 was backed into by another Town. Damage was done to the front end so we will have to see how the insurance company handles it.
- Trucks that have been hauling from Callanan to Fullers have been hauling sand for winter as a back haul at the end of the day.
- Submitted for EWR for the amount of \$98,343.08 and Pave-NY for the amount of \$100,820.10. The Town will get those payments next month.

Mr. Collier asked Mr. Redenback if he had had a chance to look at his inventory list. Mr. Redenback said he had it written down and would look at it soon. Ms. Murray said that the RAN money was in the bank.

PLANNING BOARD REPORT: Mr. Tim Manwarren reported that there was no quorum for the August meeting resulting in no meeting.

He regretfully informed everyone that Mrs. Rachell Ciborowski had resigned from the Planning Board. He presented the Town Clerk with a resignation letter from her dated August 10, 2024. He thanked her for the time she had given as a Planning Board member.

He said the Board had not received any new correspondence or request from any resident for any Planning Board decisions in the last month. Mrs. Clemens asked if Mr. Manwarren had had a chance to talk to Mr. Gladstone about the 2050 survey. Mr. Manwarren said no. Mrs. Clemens told Mr. Manwarren what some other Towns are doing to work toward a Master Plan. She thought it would be helpful to "piggyback" on their template it would give him the information he would need to fit right in. Mr. Collier asked Mr. Manwarren if he had had a chance to look over the paperwork he had given him to help work toward grants for Foster Park and the Highway SS4A. Mr. Manwarren said he had not because of a short amount of time and the Planning Board did not have an August meeting.

Mrs. Clemens read Resolution #28 of 2024 appointing Robert Baker, Gladys Branagan and Rachelle Ciborowski as the Town of Plymouth Youth Activity Coordinators from August 12, 2024 through December 31, 2024. Mr. Collier moved to accept the resolution. Ms. Murray said that Mrs. Clemens had already done that when she read the resolution so a second was needed. Mr. Collier seconded the resolution. The Board was polled and the resolution was passed with 3 yeases and no nos. Councilperson Clemens abstained and Councilperson Oehme was absent. Mrs. Ciborowski asked why she had not been chosen as Youth Group

Leader. Discussion followed. Ms. Murray and Mrs. Clemens agreed that the Youth Committee should select a leader amongst themselves.

Mrs. Brown asked where the \$1,200.00 that Mrs. Clemens had talked about was coming from. Mrs. Clemens said it was from the County.

Mrs. Clemens monitors funding given to Towns. She said she was the County Youth Bureau Director. Ms. Murray asked Mrs. Clemens if she wanted to move to accept the Resolution #28. Mrs. Clemens said she could not. Again, Mr. Collier moved that Resolution #28 be accepted.

Mr. Elsworth seconded the motion. The Board was polled and the resolution was accepted with 3 yeases and no nos. Councilperson Clemens abstained and Councilperson Oehme was absent.

Mrs. Clemens announced that people who had signed up for Enchanted Forrest could get their tickets at the Town Hall on August 21 between 4:30pm and 5:30pm. If anyone could not make that time, they should contact Mrs. Clemens. There were 53 youth, 29 adults, 8 free tickets, all the kids were free, went towards the kids tickets. Mrs. Ciborowski asked how much was left in the budget for the Youth. Mrs. Clemens said right around \$600.00. Another \$1,200.00 should be coming through depending on the State budget.

Mr. Collier read Resolution #27 of 2024 adopting the Retention and Disposition Schedule for New York Local Government Records issued pursuant to Article 57-A of the Arts and Cultural Affairs Law. Further resolved for Freedom of Information Law, the LGS-1 is adopted as the Town of Plymouth subject matter list. Mr. Collier moved that this

resolution be accepted. Mr. Manwarren asked for further explanation. Ms. Murray said the Town was asked for a subject matter list. The Town did not have one. This resolution will satisfy further requests. It is a document handed down by New York State. Mr. Elsworth seconded the motion. The Board was polled and the resolution was adopted with four yeases and no nos. Councilperson Oehme was absent.

Ms. Murray asked that a motion be made to amend the resolution, appointing David Collier to Councilperson, to correct an error that she made in numbering a resolution. She wanted it to be numbered 22A. Mrs. Clemens made a motion to make the change. Mr. Elsworth seconded the motion. The Board was polled and the motion was carried with four yeases and no nos. Councilperson Oehme was absent. Mrs. Brown said she would change the number.

Ms. Murray announced the following expenditures from the budget:

June 11, 2024	\$7,393.65 General
	\$29,156.91 Highway
July 9, 2024	\$11,856.86 General
	\$46818.88 Highway

Ms. Murray said she had called NYSEG about the light on the light pole by Foster Park to ask that it be fixed. She was recently informed that it was still not fixed. She will call again.

Ms. Murray made arrangements with NBT to have CHIPS money deposited directly into a Town account instead of getting checks through the mail.

Ms. Murray said she contacted Mr. Bob Patterson to tell him that the generator in the Fire Department side of the building was running. She tried to shut it off but was not successful. Mr. Patterson came and shut it off. He said a repairman would be coming to work on it. She said it is still not working. Mr. Brian Franklin said they were waiting for parts. She said on 7/16/24 she asked Mr. Patterson if the Fire Department had been notified that the Town was going to be used as a shelter and distribution center during the recent storms. He said he was not aware of that. She said she returned to the building after an appointment she had and no one was there at about 4:15pm – 4:40pm. On 7/17/2024 she spoke to Matt Beckwith regarding the storms. She asked if there was anything she should have been doing. He said if there was anything he would have contacted the Fire Chief, Mr. Patterson and Ms. Murray. Because the Commissioners own the building, the Town Hall building is not a designated shelter. The other half of the building is set up for emergency sheltering. She told everyone that if they needed information or help, contact information could be found in the newsletter, the website, and the County directory. If you can't get anyone, call 911.

She gave an explanation for the Special Meeting on July 29, 2024. She objected to it being called a sneaky meeting. She said it was properly posted in all the usual places.

She answered an accusation that the Board voted themselves raises without the knowledge of the public. She said on 11/14/2022 that the former Supervisor Mrs. Nucero-Alger called for a Public Hearing in the middle of a regular Town Board meeting. The raises were discussed.

Ms. Murray asked Mr. Manwarren what he said about the Georgetown Supervisor. She said she handed him a document. He wanted a copy of the resolution. She asked him what transpired after that. She said she wanted to be a part of the conversation with the Georgetown Supervisor, however, she never heard anything else. Mr. Manwarren said he took the resolution to Mr. Walrod. He looked it over. He showed it to his lawyer. The lawyer said there was a way of using the money in the Type Capital Reserve. But the Georgetown Supervisor and his lawyer could not go any further with it because it would result in the Town of Georgetown being billed for it. Ms. Murray said her understanding was that Mr. Manwarren was going reach out to the Georgetown Supervisor. Mr. Manwarren objected to the fact that Mrs. Clemens had contacted several Town Supervisors who agreed with Ms. Murray, but neither Mrs. Clemens or Ms. Murray had talked to the Georgetown Supervisor.

Ms. Murray asked Mr. Manwarren if the Planning Board minutes had been put on the website. He said no. She asked if he was going to. He said yes.

Mr. Elsworth complained that he was not being kept up to date on issues concerning the Board. He pointed out two instances where he was informed weeks later than other Board members about issues involving the Board and when information was sent to him, it had certain parts of the document blacked out. There was a discussion

about blacking out information on certain documents. Mr. Elsworth felt that there should be better communication amongst the whole Board.

PUBLIC CONCERNS: Mr. Tim Manwarren asked for some clarity concerning the resolution that was passed moving money into the Attorney Contractual budget line. He objected to the wording that said the move was to cover Attorney fees for the year 2024. Ms. Murray said it was to cover last month's bill with some additional money. She will mention this to the bookkeeper since she was the one to create the resolution.

Mr. Brett Wightman said that the Board had ultimately decided that a background check would be appropriate when deciding on a person to work on the Youth committee. He pointed out that one of the people who had been appointed to the committee had been charged with embezzling money from this Town. He asked why the Board was putting this person in the position on the Youth Committee. Mr. Collier said the charges were due to the untimely payment of moneys to the State. Not that the moneys were never turned in. No criminal charges were related to it. Mr. Wightman also pointed out that Mrs. Clemens was acting in conflict of interest working as the Youth Director for the Town. Mrs. Clemens said she was not the Youth Director for the Town. The bill was in Ms. Murray's name. That Mrs. Clemens said that she was assisting with the arrangements for the trip so that children and families were not jeopardized.

Mr. Wightman also said it was against Town Law for the Town to adopt a policy and then charge someone to see the policy. The policies should be posted.

Mr. Wightman questioned who actually submitted two FOILS that were recently handed in by Mr. Collier since they were not signed. Mr. Chris Collier said the FOILS were his.

Mrs. Patty Collier said that someone had asked why her son didn't get his information concerning the FOIL from his father who is on the Board. Mrs. Collier said that as a Board member, her husband did not hand out Board information to anybody. She said a FOIL request had to be filed to do things legitimately.

She said that the Town Clerk's documents were all top secret. She questioned why the cleaner was allowed in her office. An argument ensued with Mr. Manwarren. Much of it was inaudible.

Mrs. Collier talked about letting her husband into the Records Room to measure for a cage to put the Town Clerk's top secret documents in. Several people objected to her referring to the Town Clerk's documents as top secret. Mrs. Collier continued until Ms. Murray asked her if she was finished. Ms. Murray explained how she felt about the usage of the Records Room.

Mr. Redenback said that he had contacted the Committee of Open Government and it didn't cost a dime. He said that the video recording of a meeting can not happen if it is distracting or intrusive. He said that the person recording in the front of the room was being distracting by blinking red lights in his eyes and constantly adjusting the camera. Mr. Redenback said he had brought this up to Ms. Murray before. He said the camera had to be in the back of the room. He objected to the fact that Ms. Murray did not do anything about it. Ms. Murray read what she called the short version of the Open Meetings Law. Mr. Redenback said that a person had a 100% right to record the meetings. However, it

had to be done properly. Ms. Murray said the Town Board would create a policy regarding this matter.

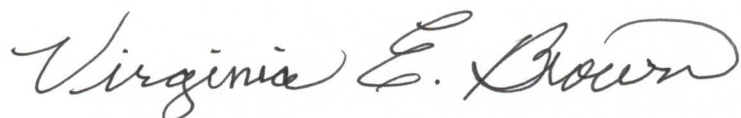
Mrs. Clemens made a motion to go into Executive Session. Mr. Collier seconded the motion. The Board was polled and the motion was carried with four yeses and no nos. Councilperson Oehme was absent. The Board went into Executive Session at 8:37pm.

Mr. Collier made a motion to come out of Executive Session. Mr. Elsworth seconded the motion. The Board was polled and the motion was carried with four yeses and no nos. Councilperson Oehme was absent. The Board came out of Executive Session at 9:18pm.

The bills were reviewed and signed. Mr. Elsworth made a motion to pay the bills. Mrs. Clemens seconded the motion. The Board was polled and the motion was carried with four yeses and no nos. Councilperson Oehme was absent. The expenditures were \$4,335.12 from the General side and \$117,329.50 from the Highway side.

Mrs. Clemens made a motion to adjourn the meeting. Mr. Collier seconded the motion. The Board was polled and the motion was carried with four yeses and no nos. Councilperson Oehme was absent. The meeting was adjourned at 10:09pm.

Respectfully submitted by,

A handwritten signature in cursive script that reads "Virginia E. Brown". The signature is written in black ink and is positioned below the typed name.

Virginia E. Brown
Plymouth Town Clerk
September 7, 2024