

PLYMOUTH TOWN BOARD MEETING

SEPTEMBER 11, 2017

PRESENT: Supervisor Grace Nucero-Alger
Councilman Gary Simpson
Councilman Daniel Meyer
Councilman Lewis Somers
Councilman Eric Jones
Superintendent Peter Marshall

The meeting was brought to order at 6:28pm. The Pledge to the Flag was led by Eric Jones. Supervisor Alger asked for a moment of silence in honor of those who died in the 9/11 attack on the Twin Towers in New York City.

Mrs. Alger asked if there were any additions or corrections to the minutes of the last meeting. There were none. Mr. Somers made a motion to accept the minutes as written. Mr. Simpson seconded the motion. The Board was polled and the motion was carried with five yeases and no nos.

CODE ENFORCEMENT OFFICER'S REPORT: Mr. Burlingame reported that he signed a permit for a porch roof for Thomas Matterson on the Plymouth-North Norwich Road. He also signed a permit for a new house going up on the

Cookhouse Road. Mrs. Alger said that she had gotten a complaint about a trailer on the Jones Peck road that was said to have many unlicensed vehicles on the property. She asked Mr. Burlingame to check into the situation. He said he would.

HIGHWAY SUPERINTENDENT'S REPORT: Mr. Marshall stated that paving is done and applying gravel to the shoulders of roads is finished. The crew is going to oil and stone the Jones Peck Road and the Reservoir Road next week. They had also been mowing road sides. Mr. Simpson asked how the mowing was progressing. Mr. Marshall answered that they are on the second time around. Mr. Simpson asked how much of the Reservoir Road was going to be mowed. Mr. Marshall replied that the whole road would be done.

DOG CONTROL OFFICER'S REPORT: Mrs. Alger read the DCO's report which is on file in the Town Clerk's office.

LETTERS AND COMMUNICATIONS: Mrs. Alger read the following communications:

- Charter Communications - programming changes.
- Notification of a Conference for Women from Skillpath Seminars.
- Notification from the New York State Department of State for the 3rd Local Government Innovation Conference to be held on November 14, 2017.
- An invitation from Compassionate Care Veterinary Services to a meeting for Supervisors and DCOs on September 20, 2017.

BOARD CONCERNS: Mr. Meyer informed everyone that his campaign sign was stolen.

Town Clerk Brown brought up the need for a maintenance person for the Town Hall building. The Board agreed to look for someone that could take on the responsibility. She also brought everyone up to date on the new website. She

presented the Board with some options for the logo. She also asked anyone for some input for a short commentary on the Town to be presented on the home page of the web site. Mrs. Brown also reported to the Board that she had secured a copy of the deed for the Plymouth Historical Society property which has been in question for several months. The property belongs to the Plymouth Historical Society not the Town. The copy of the deed will be on file in the Town Clerk's office.

Mr. Peter Hudiburg made a presentation about the benefits of solar energy. He announced a workshop on the subject coming up on October 17, 2017. He explained how global warming is causing the severe weather the country has been experiencing lately.

Mr. Simpson announced that the next Highway Advisory Committee Meeting will be held on September 19, 2017 at 6:00pm.

PUBLIC CONCERNS: Mrs. Alger introduced the Town's new attorney, Mr. James Gregory. She asked him to explain the Board's position on limiting public comments. Attorney Gregory explained the Open Meetings Law. He answered questions from the public. He let people know that if they are not happy with their Town representatives they can vote them out. Mr. Kriener asked how much the Town Board paid to have Attorney Gregory come to the meeting and speak. Attorney Gregory answered that he and his firm are on a retainer which is \$350.00 a month. His attendance at the meeting cost no additional money. Mr. Bill Collar asked if a Board member brought up an issue, could he then ask questions about it. Attorney Gregory replied that it would be up to the Board. He also pointed out that if someone became disorderly, the Board would have the right to ask them to leave. If one refused to leave, they would then be trespassing and could be removed by law enforcement.

Mr. Jerry Kriener asked how this all would fit into freedom of speech. Attorney Gregory said that everyone has freedom of speech in this country. When you are in a public place like a Board Meeting, the Board has a right to control the time, place, manner and whether the forum is open to that particular topic. Mr.

Richard Hamstra asked how the public could know what they are allowed to speak about. Attorney Gregory answered that under the rule that you are only allowed to talk about the agenda, you would be allowed to talk about reports that were given earlier in the meeting. Mrs. Rhonda Fairbanks made the observation that the Agenda was very vague.

Mr. Bill Collar addressed the issue of political signs coming up missing. He suggested that the reason the signs are coming up missing could be that the property owners were not approached for permission.

Mr. Jerry Kriener asked what fund the money was coming from to purchase the new dump truck. Mrs. Alger said that it was from 8000647366 and the money would be transferred to the Highway checking account. He asked for the title of the Reserve Fund. Mrs. Alger replied that it was just the Capital Reserve Fund. He asked if it was the Type Capital Reserve Fund. She said it was. Mr. Kriener asked her if she was aware that that fund was not meant for Highway purchases. Mrs. Alger said that the Town's bookkeeper said that it was the proper Fund to use. Mr. Kriener suggested that she refer to the Resolution passed in 2015 setting up the Fund. He also expressed his concern that some topics were being discussed at the Highway Advisory Committee Meetings that should be discussed at Board meetings. Mrs. Alger stated that these topics were not on the agenda. They were only brought up in casual conversation. Mr. Kriener suggested that the Committee limit themselves to Highway concerns. He was concerned also that decisions, such as the resolution to purchase a new dump truck, were being made at these meetings that should properly be made during Town Board meetings.

Mr. Kriener announced that he was running for Town Council and that he would appreciate everyone's vote. He stated that he would strive for transparency in our Town government.

Ms. Jackie Kriener asked Mrs. Alger the status of the Senior Lunches. Mrs. Alger said they had been cancelled due to lack of attendance. Ms. Kriener also asked Mrs. Alger if she had taken any of the training that the State Comptroller suggested she take. Mrs. Alger said that she had not.

Mr. Richard Hamstra thanked Mr. Marshall for the work his crew had done on the Reservoir Road. He expressed his hopes that the damage caused by recent rain would be repaired before they oil and stone the road. Mr. Marshall said it would. Mrs. Rhonda Fairbanks asked for a date on which the stone would be laid in the ditch that she feels causes problems on her mother's property. Mr. Marshall said "no comment".

Mr. Kriener asked for an update on the outcome of the Judge O'Connor hearing. Mrs. Alger said that she already told everyone that the Town lost the suit. The Town had to pay according to a court order. She was corrected by several in the audience. Mrs. Fairbanks asked what the court order was for and for how much. Mrs. Alger said the Town had to pay \$3,500.00 for Judge O'Connor's legal fees. Mr. Collar said that he was at the last Highway meeting. He looked over the proposed highway budget for 2018. He suggested that there is room for significant savings amounting to \$50,000.00 to \$100,000.00. Mr. Simpson asked Mr. Collar to itemize the cost savings that he was speaking about and bring it to the next Highway Advisory Committee meeting. Mr. Collar agreed. He asked if he could be put on the agenda for the next Board meeting to present his ideas to the public. Mrs. Alger said that would depend on what the Board found out after the Committee meeting.

Mr. Jerry Kriener made it clear to everyone that the budget should be discussed in a couple of Budget Workshop Meetings that are open to the public. Budget decisions are not made at the Highway Advisory Committee Meetings. Mrs. Alger

agreed. Mr. Kriener also asked if the \$3,500.00 the Town has to pay by court order, would be covered by insurance or would it come out of the tax payers budget? Mrs. Alger had no comment because she said that that question was not on the agenda.

The next meeting will be held on October 10, 2017 at 6:30pm which is on a Tuesday because Columbus Day is on the previous Monday.

Mr. Simpson made a motion to review and sign the bills. Mr. Jones seconded the motion. The Board was polled and the motion was carried with five yeses and no nos.

Mr. Jones made a motion to pay the bills. Mr. Somers seconded the motion. The Board was polled and the motion was carried with five yeses and no nos.

The Board collectively chose the logo for the website.

Mr. Somers made a motion to adjourn the meeting. Mr. Jones seconded the motion. The Board was polled and the motion was carried with five yeses and no nos. The meeting was adjourned at 7:35pm.

Respectfully submitted by

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

Virginia E. Brown

September 19, 2017