

The regular meeting of the Peru Town Board was held on Thursday October 16, 2008 at the Peru Town Hall. Those present were Mr. Don Covell, Supervisor; Mr. Tom Powers, Councilman; Mr. Brandy McDonald, Councilman; Mr. Pete Glushko, Councilman; Mr. Don Biggs, Town Attorney; and Mrs. Kathleen Flynn, Town Clerk. Excused, Mr. Cortland Forrence, Councilman.

The meeting was called to order at 7:01 PM by Mr. Covell, with the Pledge of Allegiance.

**Mr. Biggs and Mrs. Flynn arrived late (by 7:20 PM)*

Mr. Powers states that he has discussion matters pertaining to the minutes. Mr. Glushko moves to wait until Mrs. Flynn arrives to discuss.

Reports from all Departments-

Motion by Mr. Mr. Powers, seconded by Mr. McDonald to accept the following reports: Water/Sewer/Valcour, Highway, Town Clerk, Youth Department, Code/Zoning, and Supervisor as presented. There is no Dog Control report. Ayes 4 Nays 0

Motion Carried

Community Input.

Ron Allen. Mr. Allen reports that Mrs. Douglas asked Mr. Allen to distribute flyers on an open house on October 10, 2008 for the requirements for the trail grant.

Mr. Allen also refers to the shoulders of the state roads that were worked on during the Summer months. Mr. Allen states that it has not worked, it is messy and has caused possible damage to tires. Mr. Allen would like to know if the board could address this with the regional DOT informing them that this was not successful and they should not continue.

Motion by Mr. Powers, seconded by Mr. Glushko requesting the Town Supervisor to write a letter to the regional DOT office requesting the to review the project specifically relating to the concerns of town residents and board members, Mr. Powers also requests that the Highway Superintendent sign the letter as well. Ayes 4 Nays 0

Motion Carried

Bob Millett. Mr. Millett refers to the date of July 31, 2008 he came to the town hall to fill out a permit for an outdoor wood boiler. Mr. Millett then describes the specific steps that he took in this process. Mr. Millett then refers to a letter dated 9/09/2008 from Mr. Blaine (Zoning Officer) saying that the paperwork submitted was acceptable but Mr. Blaine was waiting for confirmation from Mr. Biggs (town attorney) regarding a specific date when the moratorium expired so that he can move forward with his OWB.

Mr. Biggs asks Mr. Millett if he can comply with the new law. Mr. Millett responds saying that he does not know and does not want to be held accountable to specific requirements if he has submitted an application that has dates in question. Mr. Millett tells Mr. Biggs that he has had his OWB since 2001. Mr. Biggs tells Mr. Millett that he is grandfathered in and that he has until 2023, in which the state will most probably come out with different regulations regarding OWB's anyway.

Craig Schmitt. Mr. Schmitt addresses the town board regarding the State Comptroller's report. Mr. Schmitt specifically asks if all requirements requested by the Comptroller's Office have been adhered to. He refers to bank accounts, receipts, accounting, etc. Mr. Schmitt refers to the 90 day time frame that the town had to respond to and make adjustments and corrections. Mr. Schmitt says that the letter was written in November of 2007. Mr. Schmitt is again concerned that the town is entering another budget season and would like to know if all corrections have been made.

Mr. Powers tells Mr. Schmitt that a lot of these issues have been addressed and *were* addressed before the board even responded. Mr. Powers tells Mr. Schmitt that although he does not have 100% confidence that all financial reports are accurate, but they have improved dramatically within the last three years.

Mr. Schmitt continues to be concerned that the corrective action plan is not being followed. Mr. Powers tells him that to the best of his knowledge, it is being followed. Mr. Schmitt agrees to meet with Mr. Covell in the morning at 9:30 AM to go over this topic. Mr. Powers also offers his service if needed.

Ron LaMountain. Mr. LaMountain also concerned about the OWB moratorium lapsed. Mr. LaMountain refers to “Good Faith: mistakes. He states that he made one in installing his OWB as he was under the impression that he did not have to obtain a permit. He now believes that he is going to suffer because of this and has been called “illegal” by members of the town board. He says that he is being taken to task because of his “good faith” mistake while the town board is not. Mr. LaMountain agrees with Mr. Millett that they deserve a date in which the moratorium expired.

Mr. Biggs tells Mr. LaMountain that his response is the same as what he has told Mr. Millett.

Mr. Blaine asks to clarify a few items. Mr. Blaine states that he believed that there was a lapse in the moratorium for accepting permits. He did accept applications during a brief period of time but did not act on them. He then refers to another law that was put into place that did not allow Mr. Blaine to act on them. Mr. Blaine tells everyone that there is nothing being hidden and if anyone has any questions, to please ask as everyone is doing the best that they can.

Woodstove modifications to Local law and address Agricultural, Attorney proposals.

Mr. Biggs informs members that it is not his place to make proposals, he is awaiting input from board members on this topic.

Motion by Mr. Powers, seconded by Mr. Glushko to table this discussion. Ayes 4 Nays 0
Motion Carried

Gary Bertrand’s Proposal to purchase property from the Town Of Peru.

Mr. Bertrand was not in attendance. Mr. Covell agrees to place on the next agenda.

Cal Mitchell’s Proposal to purchase property from the Town Of Peru.

Mr. Mitchell appeared before the board with his daughter-in law who is working with Mr. Mitchell to purchase a piece of property going toward Sullivan Park. The Mitchell’s provided maps and specific information to the board regarding this venture. Members and the Mitchell’s agree that Mr. Michael Sullivan needs to be included in this discussion as he currently owns land in that area as well. Mr. Glushko informs Mr. Biggs that this issue has been addressed by the town board in the past and suggests that perhaps Mr. Biggs contact the previous attorney, Dennis Curtin regarding this matter. Mitchell’s also agree to obtain a written letter of approval relating to this request from Michael Sullivan.

Report on Highway fuel bills by David Hislop and Carlene.

Mr. Covell reports that the Highway Superintendent and his secretary put together financial information related to gas and diesel consumption for the town, to allow the board work on the budget for 2009. Mr. Covell reports that he has been meeting with County Officials regarding this matter also.

**Mr. Covell reports that he has information from Mr. Rascoe (county DOT) relating to snowplow costs. Members agree to place this on the next agenda.*

Transfer of funds

Motion by Mr. Powers, seconded by Mr. Glushko to pass resolution #08.10.16-1; Transferring funds from line item 7310.1A to 7310.4A in the amount of \$5,000.00.

Roll Call: Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes
Mr. Covell-Yes Mr. Forrence-Excused **Motion**

Carried

Accepting the Contract for Life Flight for 2009.

Motion by Mr. Powers, seconded by Mr. Glushko to pass resolution 08.10.16-2; approving the contract for Life Flight, Inc. for 2009, as presented, with the \$500.00 payment coming out of line item 4540.4.

Roll Call: Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes
Mr. Covell-Yes Mr. Forrence-Excused **Motion**

Carried

Accepting the Contract for Clinton County Assessment Services for 2009.

Motion by Mr. Powers, seconded by Mr. Glushko to table the acceptance of this contract/resolution until a resolution is written to allow the board to know the specific amount of money involved. Members request Mr. Covell to have this completed for the next meeting.

Proposal of Water/Sewer Bond Disbursement

Mr. Covell informs members that he has met with Steve Fuller and Doug Brockway to set payment schedules for the Water projects that are underway. Mr. Covell is actively looking for a place to store the money to obtain the highest interest rates between payments. Mr. Powers states that he believes that Mr. Covell has requested him to sign the bank paperwork along with Mr. Covell.

Motion by Mr. Glushko, seconded by Mr. McDonald approving Mr. Tom Powers as a second signature for the Water/Sewer Bond Disbursement. Ayes 4 Nays 0

Motion

Carried

Other Business.

Mr. Covell refers to a letter written to board members from Nancy Long regarding retiree health insurance. All members have a copy of this.

Mr. Powers refers to the James Report and states that he wonders if the board needs to formally accept or reject the report. Mr. Biggs tells him that the board does not need to do either.

Mr. Powers brings forth a request for Mr. Allen (Town Historian). This is a request regarding the possibility of purchasing 22 original hand written diaries from 1868-1899. Mr. Allen is requesting approval from the board to purchase these for \$2,500.00. Mr. Powers states that there is money in the Historian budget.

Motion by Mr. Powers, seconded by Mr. Covell approving the purchase of 22 original handwritten diaries dating from 1868-1899 in the amount of \$2,500.00. Ayes 4 Nays 0

Motion

Carried

Mr. Powers requests Mr. Covell to follow up with Watertown DOT for potential cross walks for the town.

Mr. Powers refers to the rental income for the three cell towers. The current amount budgeted is \$43,000.00 and Mr. Powers reports that this number is inaccurate and encourages the board to review this line item.

Mr. McDonald requests an executive session relating to personnel issues.

Mrs. Flynn requests the board to work on an updated budget schedule to allow her to properly advertise.

Mrs. Flynn also informs the board regarding the new exemption reporting requirements that were given to her by the Office of Real Property Services. She has copied the information and all board members have copies. This is a mandated requirement for the 2009 budget.

Mrs. Flynn also refers to a seminar offered by the Association of Towns on Personnel Management and Labor Relations. Mr. Powers states that he has already signed up to attend. Mrs. Flynn indicates that all members have copies of this information if they wish to attend.

Motion by Mr. Powers, seconded by Mr. McDonald to pass resolution #08.10.16-2; approving the minutes from September 22, 2008 with the addition of a requested statement as to why Mr. Powers wanted to vote on the OWB. Ayes 4 Nays 0

Motion

Carried

Motion by Mr. McDonald, seconded by Mr. Glushko to adjourn the regular meeting at 9:07 PM and go into executive session to discuss a personnel issue. Ayes 4 Nays 0

Motion Carried

Motion by Mr. Powers, seconded by Mr. Glushko to return to the regular meeting at 9:22 PM. Ayes 4 Nays 0

Motion Carried

Motion by Mr. Covell, seconded by Mr. Glushko to adjourn the regular meeting at 9:23 PM. Ayes 4 Nays 0

Motion Carried

_____ **Supervisor** _____ **Councilman**

_____ **Councilman** _____ **Councilman**

_____ **Town Clerk**