

The regular meeting of the Peru Town Board was held on Monday, August 10, 2009 at the Peru Town Hall. Those in attendance were Mr. Tom Powers, Councilman; Mr. Brandy McDonald, Councilman; Mr. Pete Glushko, Councilman; Mr. Don Biggs, Town Attorney; and Mrs. Kathleen Flynn, Town Clerk.

The meeting was called to order at 7:00 PM, by Mr. Brandy McDonald. He then turned the meeting over to Mr. Glushko to run the meeting.

Motion by Mr. Mr. Glushko, seconded by Mr. McDonald to pass resolution #09.08.10-1; approving the minutes from the July 27, 2009 meeting.

Discussion- Mr. Powers refers to a resolution that was passed pertaining to a Stop sign on the Winding Brook Road, and refers to what he describes as ambiguity in the resolution. Mr. Powers states that he was unaware that there would be a stop sign on a curve. Mr. Biggs and Mr. Farrell explains that it is not a curve, it is an intersection of two roads.

Mr. Glushko states that he would like it noted that the minutes do not need to be signed to legal (as Mr. Powers previously stated). Once they are approved, they become legal. Mr. Powers states, for the record, that he never used the word illegal. Ayes 3 Nays 0

Motion Carried

Motion by Mr. Powers, seconded by Mr. McDonald to pass resolution #09.08.10-2; approving the minutes from the Emergency meeting on August 3, 2009. Ayes 3 Nays 0

Motion

Carried

Community Input and Discussion.

Ron Allen- Mr. Allen refers to the historical land markers have been installed at Port Jackson and the Peru Landing- he thanks Mr. Timmons and Mr. Farrell for the assistance with this.

Mr. Allen also informs everyone that he has just been informed that on Saturday at 11:00 AM, Mr. John Sinc will be placing a historical marker on Issac Finch's gravesite at the Block House Cemetery.

Don McBrayer requests that all monthly reports are forwarded to him to allow him to place them on the website. Also, Mr. McBrayer states that he believes that a neighborhood watch would assist in the vandalism at the bridge and the parks. Mr. McBrayer states that there are a lot of resources to be taken advantage of.

Motion by Mr. Glushko, seconded by Mr. Powers to amend the agenda to move item eight to item six, because there are people in attendance that would like to speak. Ayes 3 Nays 0

Motion Carried

Mud Pond Road Upgrade. Members from the DEC spoke to the board regarding the possibility of the Town Highway Department working with donated materials (from the State) to develop a road that can be utilized by the Town Of Peru. Members agree to review this information further and continue discussions on this issue.

Reports from all Departments.

Motion by Mr. Powers, seconded by Mr. McDonald to accept the following reports as written: Water/Sewer/Valcour, Highway, Town Clerk, Youth Department, Code/Zoning, Banking and Enterprise, excluding Dog Control (not submitted). Ayes 3 Nays 0

Motion

Carried

Speed bumps for McIntosh Drive. Mr. McDonald informs members that Kathleen Roach (resident of McIntosh Drive) has contacted 17 out of 19 residents that live on McIntosh and 16 of them are in favor of this. Miss Roach stated to Mr. McDonald that she would not mind having them in front of her home. Mr. McDonald also states that he was contacted by a resident on Holden Avenue. Mr. McDonald informs members that he would plans to visit residents on Holden regarding this.

Water/Sewer District Extension Update. Mr. Biggs informs members that he has gotten more information from the Engineer. He still has not established a set of users in that area. Mr. Biggs requests that this continue to remain on the agenda.

Website Contract Approval. Mr. Biggs states that he has reviewed this contract that was presented by Mr. McBrayer. Mr. Biggs says that he believes it should terminate at the end of the calendar year. Mr. McBrayer agrees to make the change.

Office coverage during KVS training session. Judy and Pam will be attending KVS training and will be out of the office August 17, 18, and 19. Mr. Powers offers to answer the telephone during the morning hours. Mrs. Flynn also agrees to assist.

Ratifying certain acts of prior Supervisor. Mr. Biggs explains to the members of the board that this was recommended to be done by the Bond Counsel.

Motion by Mr. Powers, seconded by Mr. Glushko to pass resolution #09.08.10-3;
WHEREAS, the town Board has been advised by its bond Counsel, Theodore Trespasz, Jr., Esq. that it is necessary to ratify the actions taken by the prior supervisor in connection with a \$1,316,000 Public Improvement (Serial) Bond issue scheduled to sell on August 11, 2009; now therefore it is

RESOLVED that the Town Board of the Town of Peru does hereby ratify each and every action taken by the prior Town Supervisor in connection with a \$1,316,000 Public Improvement (Serial) Bond issue scheduled to sell on August 11, 2009 including, but not limited to any Debt Statements that he may have signed.

Roll Call: Mr. Powers-Yes Mr. Glushko-Yes Mr. McDonald-Yes

Motion Carried

Filling Town Supervisor's position and Filling vacant Town Board seat.

Mr. Biggs states that he is concerned that the Supervisor is the only person that can initiate the budget process and he believes that the Supervisor position needs to be filled. Mr. McDonald questions Mr. Biggs regarding who can fill the position. Mr. Biggs explains that none of the three can fill this position because one would have to resign to take the position but this would leave only two to vote and there needs to be at least a three person vote. Mr. Powers states that he does not believe that it should be anyone that has been on the board for the last three years, then he goes on to say that the budget has been initially done by either Mr. Forrence, or himself.

Mr. Glushko asks whether or not they should begin to offer names for the Supervisor position. Mr. Biggs then informs members that they could go into executive session to discuss specific names if they choose. Mr. McDonald states that he has a list of five people that he feels could fill the slot. He states that he would like to go with someone that that budget and town government experience. Mr. Glushko states that there are prior board members that have agreed to come back and feels that it would be a good place to start as they will not be running in the Fall.

Mr. Powers disagrees. He states that he has talked extensively with 250 people in the past few weeks. He says that people do not want part of a past problem. Mr. Powers states that Mr. Glushko and Mr. McDonald have thrown out names of "Special Interest" groups. He also reminds the two that he has asked them to have people pay him a visit and he has had no one come to his home.

Mr. Biggs then informs members that he has discovered one way for the board to begin the budget process and that is for the board to create the office of a Deputy Supervisor. Mr. Biggs then goes on to say that after five days (when the office is not filled by the appointment of the Supervisor, and it won't be because there isn't one), the board can appoint someone. Mr. Biggs says that the person would sit on the board, have all of the powers of the Supervisor, but cannot vote. Mr. Biggs reminds the board that the town is in a real jam. He informs members that if anything were to happen to anyone of the three remaining members, the town would cease to be able to operate.

Mr. McDonald states that there are qualified people running for election in Jim Douglass and Susan Polhemus. Mr. McDonald says that the board is not doing what is best for the

town by not moving forward. Mr. Powers states that he has only heard names of “Special Interest Groups”.

Mr. McDonald then asks for a five minute recess.

Motion by Mr. McDonald, seconded by Mr. Glushko to have a five minute recess at 7:57 PM. Ayes 3 Nays 0 **Motion Carried**

Discussion continues at 8:05 to fill the vacant seats on the Town Board.

Motion by Mr. Glushko, seconded by Mr. McDonald to adjourn the meeting at 8:06 PM and go into executive session to discuss specific names to fill vacant seats on the Town Board and the Supervisor position.

Roll Call: Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes **Motion Carried**

Motion by Mr. Powers, seconded by Mr. McDonald to return to the regular meeting at 8:45 PM. Ayes 3 Nays 0 **Motion Carried**

Mr. Glushko states that in order to get by an impass, a town councilman is needed.

Motion by Mr. Glushko, seconded by Mr. McDonald to pass resolution #09.08.10-4; appointing Tina Calkins Covey to fill the open seat on the Town Board.

Roll Call: Mr. Powers-No Mr. McDonald-Yes Mr. Glushko-Yes **Motion Failed**

Motion by Mr. Glushko, seconded by Mr. McDonald to pass resolution #09.08.10-5; appointing Roger Bonner to fill the open seat on the Town Board.

Discussion.

Mr. Powers asks Mr. Bonner if he would accept. Mr. Bonner responds asking why Tina was not acceptable. Mr. Bonner then asks if Mr. Powers is going to vote no for him. Mr. Powers then says that he has specifically told Mr. Glushko and Mr. McDonald that there are certain people he would not agree to. Mr. Powers says that no one (from that the board has discussed) has come to him. Mr. Glushko then reminds Mr. Powers that he brought Mr. Bonner’s name forth to Mr. Powers. Mr. Bonner states that he has been home for the past two weeks and had not received a telephone call from Mr. Powers. Mr. Powers states that there are three specific people he will not agree to and Mr. Glushko and Mr. McDonald know who they are.

Roll Call: Mr. Powers-No Mr. McDonald-Yes Mr. Glushko-Yes **Motion Failed**

Motion by Mr. McDonald, seconded by Mr. Glushko to pass resolution #09.08.10-6; appointing Jim Douglass to fill the open seat on the Town Board.

Discussion.

Mr. Powers reminds members that they had previously agreed that they would not appoint a person that is running. Mr. Powers does agree that things have changed, however, he also says that he would like to speak with Mr. Douglass. Mr. Glushko asks Mr. Powers why he needs to have a personal audience.

Roll Call: Mr. Powers-No Mr. McDonald-Yes Mr. Glushko-Yes **Motion Failed**

Motion by Mr. Glushko, seconded by Mr. McDonald to pass resolution #09.08.10.7; Appointing Sue Polhemus to fill the open seat on the Town Board.

Roll Call: Mr. Powers-No Mr. McDonald-Yes Mr. Glushko-Yes **Motion Failed**

Motion by Mr. Powers, seconded by Mr. McDonald to pass resolution #09.08.10-8; appointing Jim Falvo to fill the open seat on the Town Board.

Discussion.

Mr. McDonald states that he believes Mr. Falvo is a great person. However, he is going to stick with his belief that the town needs someone who has town government and

budget experience. Mr. McDonald also refers to Mr. Falvo's mother in law that currently works within the town hall and feels perhaps it would be a conflict.

Mr. Powers disagrees, stating that he has budget experience, has attended numerous meetings and has held seats on different committees.

Mr. Glushko would like to see government experience.

Roll Call: Mr. Powers-Yes Mr. McDonald-No Mr. Glushko-No

Motion Failed

Motion by Mr. Glushko, seconded by Mr. McDonald to pass resolution #09.08.10-9; appointing Keith Matott to fill the open seat on the Town Board.

Discussion.

Mr. Powers refers to "the matter of public record" that there is documentation that clearly states that there are peculiarities in regard to accounting of certain funds. Mr. Powers says that it is all there in black and white.

Roll Call: Mr. Powers-No Mr. Glushko-Yes Mr. McDonald-Abstain

Motion Failed

Motion by Mr. McDonald, seconded by Mr. Glushko to pass resolution #09.08.10-10; appointing Cortland Forrence to fill the open seat on the Town Board.

Discussion.

Mr. Powers states that it was his understanding that Mr. Forrence resigned because he did not have the time to fulfill town council duties. Mr. McDonald informs Mr. Powers that he approached Mr. Forrence regarding the possibility of him coming back, and Mr. Forrence agreed that he would if there was no one else.

Mr. Glushko reminds Mr. Powers of Mr. Forrence's expertise in the budget process. Mr. Powers agrees that Mr. Forrence has been instrumental in assisting with the budget process in the past.

Roll Call: Mr. Powers-No Mr. McDonald-Yes Mr. Glushko-Yes

Motion Failed

Mr. Powers states he will reach out to people that he has not brought forward. Mr. Biggs reminds all council that they are not to asking these people how they will be voting on particular issues.

Motion by Mr. Glushko, seconded by Mr. Powers to table items 13 and 14 until the next meeting. Ayes 3 Nays 0

Motion Carried

Motion by Mr. Glushko, seconded by Mr. McDonald to pass resolution #09.08.10-11

WHEREAS, a vacancy currently exists in the Office of the Town Supervisor who had the authority, together with another member of the Town Board, to sign checks to pay bills and other obligations of the Town once the same had been approved by the Town Board as well as to sign all checks and or documents related to the Town's payroll; and

WHEREAS, the Town Board of the Town of Peru wants to ensure that its valid obligations are paid in a timely fashion and that its employees and officers are timely paid; now therefore it is

RESOLVED that the Town Board of the Town of Peru does hereby appoint Thomas Powers and Peter Glushko to jointly sign checks to pay bills and other obligations of the Town once the same have been approved by the Town Board as well as to sign all checks and or documents related to the Town's payroll. The signature of both Mr. Powers and Mr. Glushko shall be required.

Roll Call: Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes

Motion Carried

Other Business

Motion by Mr. Powers, seconded by Mr. McDonald authorizing Mr. Glushko and Mr. Powers to sign tax exempt status through August 31, 2009. Ayes 3 Nays 0

Motion Carried

Mr. Powers handed out information regarding a class he attended on Human Resources.

Mr. McDonald contacted various townships regarding how they handle vandalism. He states that they have success with lighting.

Mr. McDonald reports that he has only had one telephone call with negative feedback regarding the Stop signs.

Mr. Glushko refers to a letter that needs to be written taking Mr. Covell off of bank paperwork and placing Mr. Glushko, along with Mr. Powers, allowing them to sign bank documents.

Motion by Glushko, seconded by Mr. Powers removing Don Covell's name and inserting Mr. Glushko's name to allow him to sign bank documents. Ayes 3 Nays 0

Motion

Carried

Public Comment

Garret Mastic- States that there has been no correspondence between the State and the landowner that they have agreed to remove the gate. He also offers to sit on the council for the remainder of the year.

Don McBrayer- Informs members that he will be making the change to the contract.

Sue Polhemus- Informs members that the website began on a volunteer basis. While she was the Secretary to the Supervisor, she assumed the responsibility. As far as the budget line item, it is used to storage space (for the website).

Jim Douglass- Expresses his disappointment in the board not being able to come to an agreement on a councilmember. He refers to what he describes as "great names" that were brought forward. He asks the board to put aside their personal vendettas and asks everyone to try to bond together and move on.

Motion by Mr. Glushko, seconded by Mr. Powers to adjourn the regular meeting at 9:29 PM. Ayes 3 Nays 0

Motion Carried

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

_____ **Councilman** _____ **Town Clerk**