

The regular meeting of the Peru Town Board was held on Monday, October 5, 2009 at the Peru Town Hall. Those present were Mr. Cortland Forrence, Deputy Supervisor; 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 7:02 PM, by Mr. Forrence, with the Pledge of Allegiance.

**Motion** by Mr. Glushko, seconded by Mr. McDonald to table the minutes from September 28, 2009. Ayes 3 Nays 0 **Motion Carried**

**Community Input.**

Don McBrayer- Addresses the board regarding the possibility of posting area Flu Clinic's on the town website.

**Reports from all departments.**

**Motion** by Mr. Powers, seconded by Mr. Glushko to accept the monthly reports from Water/Sewer/Valcour; Highway; Town Clerk; Youth; Zoning/Code and the Supervisor, with the exception of the Dog Control report. Ayes 3 Nays 0 **Motion Carried**

**Quaker Highlands property access road.**

Mr. Forrence reports that a resident has purchased property in the above area and has concerns about a road. Mr. Biggs is currently researching this and agrees to report back to the board when he has information to offer.

**Water/Sewer rates for Hamlet and Valcour.**

Mr. Powers presented information to the board regarding potential water & sewer rate increases that he and Greg Timmons have been working on. Mr. Forrence confirms with Mr. Powers that these changes can be made by resolution. Mr. Biggs would like to review previous local laws and prepare resolutions for rate changes effective January 1, 2010.

**Motion** by Mr. Powers, seconded by Mr. Glushko to table the motion to set a Public Hearing on the Water/Sewer Rates for the Hamlet and Valcour areas. Ayes 3 Nays 0 **Motion Carried**

**Update on the Water/sewer District Expansions-**

Members confirm that the Public Hearing on this will be sent to the Press for advertisement tomorrow.

**Mud Pond Road issue update-**

Mr. Biggs states that he has spoken with Mrs. Mastic's attorney regarding the above issue, but still does not have a final resolution. Mr. Biggs states that he would like to review information that Mrs. Mastic has. Mrs. Mastic will speak to her attorney. Mr. Glushko suggests that all parties meet together to allow for better communication. Members agree to keep this on the agenda until some sort of resolution is obtained.

**Spitfire Drive Drainage Easement update-**

Mr. Powers refers to a fax that was delivered late this afternoon from Peter Gibbs of Engineering Ventures. Mr. Forrence states that he would like to review the property to allow him to have more information. Mr. Powers indicates that he is willing to continue his work with Mr. Timmons, Mr. Farrell, and Mr. Gibbs on this issue. This will be placed back on the agenda when more information is obtained.

**Approval for the switching to natural gas for the Highway and Water/Sewer Garage.**

Mr. Forrence states that the Highway and Water/Sewer Department have the opportunity to switch to Natural Gas. Both department heads explain to the board that they feel the timing is right. Mr. Forrence confirms that NYSEG will be installing the piping in the ground to the town buildings at no charge. The charges to the town will be furnaces and piping of which the employees will provide the labor. Both department heads confirm that they have the money available. Members of the board also discuss the monetary difference between staying with oil versus changing over to natural gas.

**Motion** by Mr. Powers, seconded by Mr. Glushko authorizing the Water/Sewer and Highway Department heads to notify the appropriate NYSEG officials regarding the town's decision to move forward with the installation of natural gas lines to the Water/Sewer Garage and the Highway Department. Ayes 3 Nays 0

***Motion Carried***

***Replacement of Denton Road Bridge by County; roadwork by Town of Peru.***

Mr. Farrell informs members of the board that he has been contacted by the County regarding replacing and moving the bridge in 2010. Mr. Farrell explains how this change will occur and states that the town will be responsible for moving the road to make the proper accommodations. Mr. Forrence agrees to call Mr. Rascoe (from the County) for clarification on more aspects of this project.

***Clinton County Snow/Ice Removal Contract for Convenience Station.***

Mr. Biggs received this contract during the meeting and agrees to review it during the meeting.

***United Way meeting with Town employees requested by Tom Keister***

Mr. Keister has contacted the town regarding making a presentation for the United Way to the employees. Mr. Forrence asks the department heads to discuss potential times in which the employees can meet for a 15 minute presentation. Department heads agree to report suggested dates back to Mr. Forrence.

***Other Business***

Mr. Timmons informs members that he has discussed a grant with Adele Douglass regarding purchasing a new type of aerator for the sewer plant. This aerator runs off of solar energy. Mr. Timmons explains that this is an 85% matching grant. He also states that two of the current aerator's are over 20 years old. Mr. Timmons informs members that the grant application needs to be completed and submitted by October 16, 2009. Mr. Powers states that he is concerned about the number of sun solar hours and perhaps this would not be appropriate for our area. Members discuss setting a Special Meeting to discuss this in further and make a decision.

**Motion** by Mr. Powers, seconded by Mr. McDonald to set a Special Meeting for October 14, 2009 at 7:00 PM to discuss a grant proposal for Water/Sewer Aerator equipment.

Ayes 3 Nays 0

***Motion Carried***

Mr. Allen (Town Historian) reports to the board that he is speaking on behalf of Adele Douglass regarding permission to work with the Lake Champlain Basin program. He states that the Wayside Exhibit program (which is a part of the Lake Champlain Basin program) offers grants for sign design. Mr. Allen states that there will be no cost to the town, and Mr. Allen has samples of the type of work that they provide.

Mr. Forrence states that Mr. Biggs has reviewed the contract and informs him that it is fine to sign and approve.

**Motion** by Mr. Powers, seconded by Mr. Glushko to approve the Clinton County Snow/Ice Removal Contract for Convenience Station, as presented. Ayes 3 Nays 0

***Motion Carried***

Mr. Farrell asks Mr. Biggs if he had the chance to review the information concerning the Cook Road. Specifically he is looking to see who is responsible for the repair of the road, due to the performance bond issue.

Mr. Farrell also informs the board that his department has begun protecting the trees down in the Heyworth Mason area.

Mr. Forrence requests to meet with Mr. Timmons, and Mr. Farrell regarding budget issues sometime this week.

Mr. Powers refers to work done on sidewalks with prisoners earlier today.

Mr. Powers passes out paperwork from five different insurance companies for the board to review. He states that the insurance companies will not have the information ready for the workshop scheduled next week.

**Motion** by Mr. Powers, seconded by Mr. McDonald to cancel the workshop scheduled for October 15, 2009 regarding Health Care and reschedule for October 21, 2009 at 6:30 PM. Ayes 3 Nays 0

**Motion Carried**

Mr. McDonald states that he has done research on previous appointments regarding council vacancies. He informs members that on 11/13/2006 Mr. Roger Bonner resigned. He then states that 11/27/2006 Mr. Covell motioned to appoint Mr. Keith Matott, to fill the vacated seat, and Mr. Powers seconded the motion. Mr. McDonald feels that this is a double standard. Mr. Powers disagrees indicating that time has educated him on town law. Mr. Biggs disagrees with Mr. Powers telling him that there is nothing in the town law that validates what Mr. Powers is standing for.

Mr. Forrence then asks Mr. Biggs if he has done any further research on this matter. Mr. Biggs informs members that he has contacted the Association of Towns, specifically on this topic. Mr. Biggs states that according to opinions of the Attorney General and New York State Association of Towns that vacated seats should be filled immediately upon the certification of an election. Mr. Biggs states that the Association of Towns was relying on opinions from the Attorney General and informs members that "it looks as if that happens, automatically". Mr. Biggs then asks Mr. Powers to bring him information if he has anything contrary to what he has found. Mr. Forrence requests for this in writing. Mr. Biggs says he will obtain that.

Mr. Glushko states that the town was turned down for the water meter grant.

Mr. Glushko specifically asks what the town has to do to have the intersection of Brand Hollow Road and Military Turnpike approved as a four way STOP. Members agree that it is a very dangerous intersection and would like to move forward on this as soon as possible. Mr. Forrence requests Mrs. Flynn to add this to the advertisement for the Special Meeting on October 14, 2009.

**Public Comments on Agenda Items Only**

Laurie Wetzel thanks Mr. Forrence and states that he should be commended for his efforts on behalf of the town.

Don McBrayer thanks the board for the consideration regarding the potential four way STOP sign at the intersection of Brand Hollow and Military Turnpike.

Mr. McBrayer also urges the board to seriously consider the grant discussed this evening regarding the Water/Sewer Aerators.

Henrietta Mastic informs the board that her home has been operating by Solar Power for 18 years and she has never been without power.

Fred Hoffman address the board regarding the legality of breaking up a cost of a project to keep it under the \$10,000.00 amount. (He is referring to the change over in the Highway and Water/Sewer Department to Natural Gas).

Mr. Biggs informs Mr. Hoffman that he brings up a very good point and agrees to research this is the board desires. Mr. Forrence asks him to look into this.

**Abstract for re-issuance of voided A/P check**

**Motion** by Mr. Powers, seconded by Mr. McDonald in the amount of \$6645.00. Ayes 3 Nays 0

**Motion Carried**

**Motion** by Mr. Powers, seconded by Mr. McDonald to adjourn the regular meeting at 9:25 PM. Ayes 3 Nays 0

**Motion Carried**

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*Deputy Supervisor*

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*Councilman*

*Councilman*

*Town Clerk*