

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
JUNE 13, 2011- page 1**

**DRAFT**

**OPENING OF MEETING**

The meeting was called to order at 7:37 pm by Supervisor Susan O'Rorke and followed by the Pledge of Allegiance. In attendance: Councilwoman Finke, Councilmen Byas, and Norris, Highway Superintendent Jordan, Town Clerk Brooks, and members of the public who signed the attendance sheet. Councilman Meredith arrived during the meeting.

**MOMENT OF SILENCE IN MEMORY OF RAY WAGANKA, FORMER BUILDING INSPECTOR**

Supervisor asked all attending to remain standing for a moment of silence in memory of former Building Inspector Ray Waganka.

**APPROVAL OF MINUTES**

Councilman Norris moved and Supervisor seconded the approval of Minutes of **January 24, 2011 Public Hearing on Local Law #1 of 2011 (distributed 2/18/2011)** submitted by the Town Clerk. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-Absent  
NORRIS-AYE O'RORKE-AYE  
Adopted**

Supervisor moved and Councilman Byas seconded the approval of Minutes of **January 24, 2011 Work Meeting (distributed 2/18/2011)** submitted by the Town Clerk. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-Absent  
NORRIS-AYE O'RORKE-AYE  
Adopted**

Supervisor moved and Councilman Byas seconded the approval of Minutes of **March 28, 2011 Special Meeting (distributed 4/16/2011)** submitted by the Town Clerk. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-Absent  
NORRIS-AYE O'RORKE-AYE  
Adopted**

Councilman Norris moved and Supervisor seconded the approval of Minutes of **March 28, 2011 Work Meeting (distributed 4/16/2011)** submitted by the Town Clerk. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-Absent  
NORRIS-AYE O'RORKE-AYE  
Adopted**

Supervisor moved and Councilman Byas seconded the approval of Minutes of **May 9, 2011 Regular Board Meeting (distributed 5/18/2011)** submitted by the Town Clerk. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-Absent  
NORRIS-AYE O'RORKE-AYE  
Adopted**

**PUBLIC COMMENT PERIOD**

Ellie Alfeld announced the Seniors' Committee Picnic will be held June 29, 2011, at District #2/Cecil C Hallock Park, for seniors 60+ years of age, beginning at 12noon. Please bring a

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covered dish to share; hotdogs/hamburgers/sausages/beverages will be provided. Contact Conrad Jurgens and Ellie Alfeld, trying to keep event to Town of New Baltimore residents, and free will donations will be accepted. Formerly a ballgame, Councilman Byas said if you don't make a reservation, still come.

Councilman Norris announced the Farmers' Market had opened this past Saturday at District 2/Cecil C. Hallock Park.

**CORRESPONDENCE**

US Census Bureau- statistics are now available online.

From NWS- wastewater solicitation for services.

From Donna Degnen- letter regarding the history of the Town parks and requesting review by Town Board; Parks Committee will reach out to resident.

From NYSDEC- SPDES Permit renewal.

From Senator Kirsten Gillibrand- grants information.

From Greene County Legislature- list of approved bidders for highway supplies.

Note: Assemblyman Steve McLoughlin is meeting regarding Hannacroix post office on June 14.

**OLD BUSINESS**

**1. Resolution to Approve Highway 284 Agreement**

**AGREEMENT FOR THE EXPENDITURE  
OF HIGHWAY MONIES**

AGREEMENT between the Town Superintendent of the Town of New Baltimore, Greene County, New York, and the undersigned members of the Town Board. Pursuant to the provisions of Section 284 of the Highway Law, we agree that monies levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$125,000 shall be set aside to be expended for primary work and general repairs upon 6 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways:

(a) On the road commencing at Sweezey Road a distance of .83 miles, there shall be expended not over the sum of \$38,880.

Type Asphalt Concrete Type 3 Binder Course. Width of traveled surface 12' to 14' \_\_\_\_\_  
Thickness 2 1/2" \_\_\_\_\_ Subbase \_\_\_\_\_ Black Top and Patches \_\_\_\_\_

(b) On the road commencing at Gill Road, a distance of .22 miles, there shall be expended not over the sum of \$21,570.

Type Asphalt Concrete Type 6 Top Course. Width of traveled surface 22' \_\_\_\_\_  
Thickness 1 1/2" \_\_\_\_\_ Subbase \_\_\_\_\_ Black top and Patches \_\_\_\_\_

(c) On the road commencing at Acquetuck Road, a distance of .90 miles, there shall be expended not over the sum of \$78,360.

Type Asphalt Concrete Type 6 Top Course. Width of traveled surface 22' \_\_\_\_\_  
Thickness 1 1/2" \_\_\_\_\_ Subbase \_\_\_\_\_ Black Top and Patches \_\_\_\_\_

(d) On the road commencing at High Rock, a distance of 1.76 miles, there shall be expended not over the sum of \$27,890 (new bid).

Type Stone and Oil. Width of traveled surface 20' \_\_\_\_\_  
Thickness 3/4" \_\_\_\_\_ Subbase \_\_\_\_\_ Stone & Oil and Black Top \_\_\_\_\_

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Executed in duplicate this 13 day of June, 2011

_____ Supervisor	_____ Councilman
_____ Councilman	_____ Councilman
_____ Councilman	_____ Councilman
_____ Councilman	_____ Councilman
_____ County Superintendent of Highways	_____ Town Superintendent

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. *COPIES DO NOT HAVE TO BE FILED IN ALBANY.*

**Supervisor moves, seconded by Councilman Norris.** Councilman Byas asked if the Board was approving the new numbers; answer: yes, just as the agreement reads. Also, same 2 coats, same gallons per foot; answer: yes. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE      FINKE-AYE      MEREDITH-Absent  
                         NORRIS-AYE      O'RORKE-AYE**

**Adopted**

**2. Update on Workplace Violence Training**

Alan VanWormer and Supervisor attended "train-the-trainer" in the Town of Coeymans and prepared and gave training to Highway and Town Hall staff. Separate training for the Board members is yet to come. With 2009 Surveys done, Supervisor suggests new employees complete a survey after 6months on the job; Attorney Wukitsch agreed. Supervisor said the dialogue added a little time and testing of security pendants is yet to come.

**NEW BUSINESS**

**1.Resolution to Add Dawn Palmateer as second WPVP Contact Person**

Supervisor stated it is good to have a female employee at another location as an additional contact person; she brings experience from public school and local courts.

**RESOLUTION  
JUNE 13, 2011**

**RESOLUTION APPOINTING DAWN PALMATEER AS WORKPLACE VIOLENCE  
PREVENTION CONTACT PERSON**

WHEREAS, the Town of New Baltimore has established a Workplace Violence Prevention Program, and

WHEREAS, the Town Board has decided it is in the best interest of the employees to appoint a second contact person.

NOW, THEREFORE, BE IT RESOLVED, Dawn Palmateer is appointed as additional contact person for Workplace Violence issues.

**Councilman Norris moved, seconded by Councilwoman Finke.** Councilman Byas asked if she is new, 2 months, and does that matter? Supervisor said they took into account her past position in village court and school. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-Absent  
NORRIS-AYE O'RORKE-AYE**

**Adopted**

**2.Resolution to Purchase Computer Equipment and Software—**

Councilwoman Finke does not have inventory. There is an additional \$30 discount for end-of-month promotions, still waiting on licensing costs, changing from "per seat". Microsoft Access, not required for Tax Collector, is required for Town Clerk, \$145 total. Town Clerk's computer will be re-purposed to the building inspector; \$160 charge to perform "wipe". Councilman Norris recommends doing wipe inhouse; he has Department of Defense (DOD) disc to wipe that computer. Councilman Byas disagrees. Joe Wolodkevich, in attendance, said it is a certification process, to make sure to have operating cd, reinstall the drivers, and typically 12 hours to run the software. Supervisor asked how many prepaid hours are used; answer: 6.25 hours out of 10. The wipe and reload is a flat fee. Office install and updates could use the prepaid time, 3hours. The "spam" conversion is in process; determination of spam is based on a score and IP address. Clerk Brooks was using a flashdrive and her personal computer, since her Town laptop had frozen; Councilman Byas asked if that was her personal computer; she used her personal computer until 2009 when the Board, which included Councilman Byas, purchased a laptop for her office. Ellie Alfeld asked regarding the 7 computers, originally 8 computers, and has asked since January 2010 how many computers the Town owns, including laptops. Supervisor asked Technology Committee for the inventory one year ago and hopes it will be done shortly. ITS made a listing of machines in order to prepare the contract estimate. Ellie asks the same inventory from the Highway Superintendent.

**TABLED-**

**3.Resolution to Add Justice Clerk to Full Time Leave Policy**

Supervisor reminds the Board that justice clerks previously had separate vacation schedule, passed at Organizational Meeting; suggests she be added to full-time leave policy of Highway employees, accruing based on her 35-hour work week, to which Attorney Wukitsch agreed.

**RESOLUTION  
JUNE 13, 2011**

**RESOLUTION TO ADD FULL TIME JUSTICE CLERK TO TOWN VACATION AND  
SICK LEAVE POLICY**

WHEREAS the Town of New of New Baltimore has established a vacation and sick leave policy for full-time highway employees, and

WHEREAS, the Town Board hired a full-time Justice Clerk on February 14, 2011 to work a 35 hour work week,

NOW, THEREFORE, BE IT RESOLVED the Justice Clerk is added to the Town's Full-time Vacation and Sick Leave Policy.

**Councilman Norris moved, seconded by Supervisor.** No discussion. Attorney Wukitsch said it should be consistent. Hours worked in excess of 35 hours are taken as compensatory time. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-Absent  
NORRIS-AYE O'RORKE-AYE**

**Adopted**

**4. Resolution to Authorize Town Clerk to Attend Cornell Municipal Clerks' Institute**

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**DRAFT**

**RESOLUTION  
JUNE 13, 2011**

**RESOLUTION TO AUTHORIZE ATTENDANCE BY TOWN CLERK AT CORNELL  
MUNICIPAL CLERKS' INSTITUTE**

RESOLVED, that the Town Board does hereby authorize Janet Brooks, Town Clerk, to attend the Cornell Municipal Clerks' Institute 2011 Annual Training Seminar to be held from July 17-21, and authorizes reasonable expenses for lodging, transportation and meals.

(Councilman Meredith arrived.) **Supervisor moved, seconded by Councilman Norris.** No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE      FINKE-AYE      MEREDITH-AYE  
                         NORRIS-AYE      O'RORKE-AYE**

**Adopted**

**5. Resolution to Authorize Building Inspector to Install Security Doors**

One of the original items in risk assessment and personnel surveys is dutch doors with ability to lock bottom half, a set boundaries, and shelf; Assessor and Planning/Building/Zoning offices remain to be done. Code Enforcement Officer Ray Blaisdell has offered to install. Supervisor believed this was set back in 2009; Councilman Byas said it was not agreed to in 2009 and wants to wait to see the total cost. Supervisor said the Board has been trying to complete this since 2009. Councilman Norris feels, with computer costs, this is small price for safety of employees. Councilman Byas said there is confusion between dutch door and security door. Councilman Norris feels it makes entry more difficult. Councilman Byas wants to see costs first. Councilman Norris said this is only to authorize building inspector to install. Supervisor asked if {Byas} has different door in mind; Councilman Byas said security is a loose name; Supervisor said that term has been used in past, "dutch" used in resolution, and asked if there was another type of door. Councilman Byas doesn't know why doors are needed; certain things need to be private. Supervisor said a door allows someone to be invited in with more personal business. Attorney Wukitsch said these doors are recommended for court office, potentially difficult member of public, allows for some distance. Supervisor asked that the word 'security' be removed from the resolution. Arlene McKeon said, although it is not going to stop, the ledge creates a barrier and a working surface. Supervisor said the ½ door stops someone from walking in, preserves confidentiality of work being done. Attorney Wukitsch echoed, not appropriate for public to wander in and look at any work being done in the offices. Clerk Brooks said with the small number of square inches this door preserves work spaces; when someone enters an office, all the work in that space may have to stop. Supervisor added no New Baltimore clerks have counters like many other towns have; this provides a 'counter'. Melanie Sacchetti found prices nearly \$1000/door- Supervisor said the 2010 Town quote is much lower, current doors could be cut and hinges added. Ellie asked to find unknowns: door cost and installation cost. Ray Blaisdell thought 2 hours would finish the 2 doors at his rate, Supervisor asked Building Committee/Councilman Byas to talk to Ray Blaisdell and report at Work Meeting, staff has waited and it has not gotten onto agenda in 18 months.

**TABLED**

**6. Resolution to Appoint Liaisons to Animal Control and Grants Committees**

**RESOLUTION  
JUNE 13, 2011**

**RESOLUTION APPOINTING MEMBERS TO THE ANIMAL CONTROL AND  
GRANTS COMMITTEES**

RESOLVED, that Supervisor O'Rorke is appointed to the Animal Control Committee.

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**DRAFT**

RESOLVED, that Councilman Meredith is appointed to the Grants and Economic Development Committee.

**Supervisor moved, seconded by Councilman Norris.** No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE  
NORRIS-AYE O'RORKE-AYE**

**Adopted**

**7. Resolution to Approve Annual Reviews of Tax Collector, Town Clerk and Courts**

Supervisor distributed to Board several weeks ago, read letter from Town Justices to the Town Board responding to accountant's review (on file); Attorney Wukitsch suggested contacting Judge Ceresi's office for assistance. Councilman Norris said he has met with Justice Cosenza and Dawn Palmateer, as their Court liaison, and they are beginning to rectify the situation.

**RESOLUTION  
JUNE 13, 2011**

**RESOLUTION TO APPROVE ANNUAL REVIEW OF ACCOUNTS FOR TOWN  
CLERK, TAX COLLECTOR AND JUSTICE COURTS**

WHEREAS, Town Law 123 requires each town officer or employee who has received or disbursed any monies to produce all supporting books, records, receipts, warrants, vouchers and canceled checks as authorized by Section 29 of the General Municipal Law.

WHEREAS, each Town Board shall examine the criminal and civil dockets of each town justice and shall be entered in the minutes of the Town Board proceedings that such dockets have been duly examined, and

WHEREAS, each Town officer and employee shall submit his books and records to the Town Board for review and shall be entered into the minutes of the Town Board proceedings that such records have been duly examined.

NOW THEREFORE, BE IT RESOLVED, that Brian Fitzgerald, CPA, has completed the Annual Review of the financial records of the Town Clerk, Tax Collector and Justice Court and has supplied the Town with a written review of such records in accordance with Section 29 of the General Municipal Law, and

BE IT FURTHER RESOLVED that the Town Board does accept the Annual Review prepared by Brian Fitzgerald for the period of January 1, 2010 to December 31, 2010. The results of the Review are hereby attached. (given to the Board previously)

**Supervisor moved, seconded by Councilman Byas.** Copies from 2009 Justices Annual Report were also distributed to the Town Board, showing same comments for both years, format from Office of State Comptroller. Supervisor said they have now developed a plan of attack; Councilman Norris will ask for 6 month reports to the Town Board. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE  
NORRIS-AYE O'RORKE-AYE**

**Adopted**

**8. Resolution to Approve Payment of Claims**

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**DRAFT**

**RESOLUTION TO APPROVE PAYMENT OF CLAIMS**

WHEREAS the Town Clerk has presented claims to the Town Board for audit and review and,

WHEREAS the Town Board has audited claims 201106/01-84, for a total amount of \$40,384.36 (Removing #38), it is

RESOLVED, that the Town Supervisor is hereby authorized to pay claims totaling \$40,384.36.

BE IT FURTHER RESOLVED that the Town Clerk has prepared an abstract and holds it for public review until June 30, 2011.

Councilman Norris moved, seconded by Councilman Meredith. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE:** BYAS-AYE      FINKE-AYE      MEREDITH-AYE  
                         NORRIS-AYE      O'RORKE-AYE

**Adopted**

**9. Ethics Issue**

At the last meeting, Attorney Wukitsch said he had read letter from 3-person Ethics Board of Greene County, who had handled complaints of several persons and involving Councilman Byas. Based on his research and analysis conducted, he initially recommended the opinion as 'advisory' and requiring discussion; further review of determination and after consulting with Greene County Attorney Carol Stevens he concludes it is a determination, not advisory, and no further Town Board action is needed.

**10. Discussion of Memorial Ceremony to Honor Past Elected Officials and Employees**

Supervisor spoke to Lynn Taylor and Bernie Jones, after loss of prior highway superintendent Francis Williams, board member Gary McLarnon, and building inspector Ray Waganka, and wants the Town Board to work with the Memorial Committee to hold an honor ceremony before the weather turns; the last ceremony was September 2006. Councilman Byas thought September, will report to Board next month. Ray Waganka was a wastewater systems engineer, very knowledgeable about compliance with rules of the NYS Building Code, and served Cornell Hook and Ladder Fire Company. Arlene McKeon asked that her grandfather, who served on Town Highway crew for many years, be considered also and would like to donate cost of stone; Councilman Byas said they are discussing that and there are no rules in the folder; Arlene explained "service to the Town". Arlene asked if a letter was needed; Supervisor said some time is needed; Councilman Byas said he will get something together for next meeting. Councilman Norris talked to a Greene County Legislator regarding honorary road namings for those injured in World War II; they have no impact on mailing addresses and signs are another color for clarity; Councilman Byas said to look into it. Rich Guthrie said this has been done in Towns of Bethlehem and Coeymans. Supervisor supported; Councilman Norris will report back.

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**2(Continued)**

Councilwoman Finke [difficult to hear] Councilman Norris noticed the NYS Tax on the estimate, Supervisor felt that was a typographical error and asked for recommendation from Technology Committee. Councilman Meredith asked for the needs of the Supervisor. Supervisor would like to be able to open her town email attachments. Joe Wolodkevich said a single network would be necessary to have same versions; this purchase will be 2010 version, she saves in different formats, not attached to one license, do not have to purchase a new version of it but rather buy it once. Supervisor asked if that was a \$300 savings. One computer requires a ProPlus MicroSoft Office license for Business Automation Services (BAS), \$45; two different state contracts. 1009-30 for computer, new system deployment is flat fee and prepaid hours cannot be used. The hours to install and update can use the prepaid hours. 8 licenses, Joe

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**DRAFT**

Wolodkevich is still waiting to determine whether can be gotten under one contract or are several needed, 8 x \$45, or 1 x \$107. Councilman Meredith said buy the new computer, have ITS contract to wipe and reload. Joe expects an answer tomorrow on the Microsoft Office: 1x \$100 or 7x \$75 under current pricing. Supervisor said computer, deployment, battery backup minus \$30, \$1468.99 (OEM for \$125 with Word, Excel and Outlook 2010.) Clerk Brooks asked how much time is expected to get her up and running to serve visitors waiting at her doorway; Joe said generally one hour is needed, and the biggest change is the email becoming Outlook 2010; he reports none of the other municipalities have had trouble.

**RESOLUTION  
JUNE 13, 2011**

**RESOLUTION AUTHORIZING PURCHASE OF COMPUTER EQUIPMENT AND  
SOFTWARE**

RESOLVED, that the Town Board authorizes the purchase of a Dell Optiplex 380 Computer for the Town Clerk's office for \$1259.00 and additional services from Intelligent Technology Solutions for installation of the computer totaling \$1,469.

Supervisor moved, seconded by Councilman Norris. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE  
NORRIS-AYE O'RORKE-AYE**

**Adopted**

Five to seven business days to arrive, one or two in office, then to bring it to Town Clerk.

**11. Discussion of Changes to Fee Schedules for Renewing Variances and Special Use Permits**

Supervisor said issue arose for JB Car Services. In beginning 2010, the Town would approve the Junkyard License and Special Use permit, the Special Use permit was splintered off for the Planning Board to award. Junkyard license appears previously as \$200 in 2001 and came off the 2006 fee schedule. Supervisor talked to Attorney Wukitsch, considering a renewable permit for half the fee but Special Use Permits fall under the authority of Planning Board, who could decide at some point not to annually review the junkyard. Supervisor believes the intent was to give the Town Board a voice for the junkyard renewal. Attorney Wukitsch feels it is good to get input from Planning Board as to an appropriate fee; the Town Board is the legislative body with power to set fees. Supervisor noticed Sewer Repair Fee also dropped off; was that incurred when someone pulled a lateral that then required an inspection? The New Sewer Connection appears, it came off in 2006; Supervisor suggests returning it to the fee schedule. Ellie Alfeld asked if it may have come off with the new Town Code revisions.

Supervisor said building inspector brought concerns to the Planning Board in the fall, were they intentional or typographical errors. Ellie suggests 'junkyard' becomes 'salvage yard'; Supervisor said to refer to Town Code. Supervisor asks for special meeting with Planning Board chair and vice, Zoning Board chair and vice, Town Board, and building inspector, and discuss list of issues, whether intentional or not. In that the 2011 \$100 fee has been received, work toward 2012. Junkyard fee was previously \$50/new and \$25/renewals. Supervisor believes permits go back to 1989. Councilman Byas feels they should be straightened around, maybe discontinued. Clerk Brooks will provide Board with minutes of last Town Board public hearing for fee schedule. Supervisor said the sheds amendment needs to be added to list on website and the dog license fees, per the dog law.

**12. Discussion of Town Park Signs and Changes to Local Law**

Supervisor has been in conversation with Sheriffs; suspicious activity caused a fresh look at signage. There is no "violators will be prosecuted" verbiage. Town local law doesn't include "dusk to dawn". Sheriff's office would like to have vehicle available, to be able to have "teeth" when loiterers are defiant about leaving, and can take action; Sheriff Seeley said inclusion in



**DRAFT**

Janet A. Brooks  
Town Clerk