

## TOWN BOARD MEETING, TOWN OF LIVONIA

January 16, 2025

A meeting of the Town Board of the Town of Livonia, County of Livingston and the State of New York was held at Livonia Town Hall, 35 Commercial St Livonia NY 14487

**PRESENT:** Eric Gott, Supervisor  
Joseph Breu, Councilmember-absent  
Peter Dougherty, Councilmember  
Andy English, Councilmember  
Matt Gascon, Councilmember  
Hayley Anderson, Clerk  
Jim Campbell, Attorney, Town of Livonia

**OTHERS PRESENT:** Several Residents.

The Town Board meeting was called to order by Supervisor Gott at 7:00 PM.  
Dan Kuhn led the pledge.

Mayor Chris Genthner called the Village Board meeting to order at 7:00 PM.

Mayor Genthner explained that Matt Gascon, Dan Kuhn, Joe Breu and Bill Kurtz interviewed three great applicants for fire commissioner for the joint district. After lengthy discussions the Village Board and Town Board committee members agreed to appoint Chris Spencer for the next Fire Commissioner of the Livonia Joint district.

RESOLUTION 01-2025

**APPOINT CHRISTOPHER SPENCER AS JOINT FIRE COMMISSIONER**

On motion of Councilmember Gascon seconded by Councilmember Dougherty the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to appoint Christopher Spencer as a Fire Commissioner for the Livonia Joint Fire District with a term expiring December 31, 2029

Village Board- On motion of Dan Kuhn seconded by Bill Kurtz.

Village Board-On motion of Bill Kurtz seconded by Holly Kubrich the Village Board Meeting was adjourned at 7:02PM

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## PRIVILEGE OF THE FLOOR

A resident came and asked attorney Campbell when the actual petition is due. Supervisor Gott and Attorney Campbell advised this would be addressed in the meeting tonight. Supervisor Gott stated he would like to see updated technology in this Board Room. He would like a tv screen and ability to hook up to the screen mainly for planning and zoning meetings. He would like to see us get estimates for speakers, screens, microphones etc. Would like to work with Hayley on estimates and come back to the board. The Board agreed that it is time to get up with the times.

RESOLUTION 02-2025

## APPROVE APPOINTMENTS FOR 2025

On motion of Councilmember Dougherty seconded by Councilmember English the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays - 0

Resolved to approve the following appointments for 2025

## **2025 TOWN BOARD APPOINTMENTS**

DEPUTY SUPERVISOR	JOE BREU
TOWN HISTORIAN	BETTY MILES
REGISTRAR	HAYLEY WOODRUFF
DEPUTY REGISTRAR	TBD
RECORDS MANAGEMENT OFFICER	HAYLEY WOODRUFF
MILEAGE RATE	.70 cents /MILE
TOWN ENGINEER	REQUEST RFP
MEETING DATES	3 <sup>rd</sup> THURSDAY, 7PM
TOWN ATTORNEY	JAMES CAMPBELL
OFFICIAL BANK	FIVE STAR BANK/COMMUNITY BANK
PLANNING BOARD SECRETARY	ALISON HOUK
OFFICIAL NEWSPAPER	LIVINGSTON COUNTY NEWS
COUNTY TRAFFIC SAFETY BOARD	PAUL DWYER
COUNTY TRAFFIC SAFETY ALTERNATE	ERIC GOTT
OFFICIAL RADIO STATION	1040 WYSL

## TOWN BOARD COMMITTEE APPOINTMENTS

HIGHWAY	ERIC GOTT
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RECREATION/YOUTH/ BASEBALL	PETE DOUGHERTY
VITALE PARK	ANDREW ENGLISH
HEMLOCK PARK LIASON	MATT GASCON
LIBRARY	PETE DOUGHERTY
EMERGENCY SERVICES LIASON	JOE BREU
JOINT WATER WORKS	ERIC GOTT
CLA LIASON	TBD
TRAIL LIASONS	MATT GASCON

RESOLUTION 03-2025

**APPROVE SALARY SCHEDULE FOR 2025**

On motion of Councilmember Gascon seconded by Councilmember Dougherty the following resolution was

ADOPTED	Ayes -	4 (Gott, Dougherty, English, Gascon)
	Nays -	0

Resolved to approve the salary schedule below for 2025

**TOWN OF LIVONIA  
2025 BUDGET**

**SCHEDULE OF SALARIES AND HOURLY RATES  
(Article 8 of Town Law)**

<u>POSITION</u>	<u>2025</u>
<b>ELECTED OFFICIALS</b>	
Councilman	9,070
Supervisor	43,075
Highway Superintendent	78,602
Justice	17,741
Town Clerk	56,000
<b>GENERAL STAFF</b>	
Clerk to Justice	22.36/hr.
Deputy Town Clerk	20.31/hr.
Assessor (part-time)	27,954

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Clerk to Assessor	21.94/hr.
Bookkeeper	55,000
Cleaner (buildings)	17.28/hr.

## HIGHWAY DEPARTMENT

### M.E.O.

Dan B., Dan F. Mark, Paul T.	contract	30.82/hr.
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Deputy Highway Supt.	31.82/hr.
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## LIBRARY

Library Director	68,547
Children and Family Services Prog. Cord.	43,621
Technology Coordinator (Sara)	36,000
Youth Services Coordinator (Emily)	36,000
Cleaner (Stephen)	17.89/hr
Library Clerk PT (Anthony)	16.05/hr
Library Clerk PT (Gabriella)	16.05/hr.
Library Clerk PT (Matthew)	16.05/hr
Clerk part-time (Eileen)	16.52/hr.
Page (Jeanne)	16.05/hr.
Page (Laurie)	16.05/hr.
Page (Sydney)	16.05/hr.
Page (Sarah)	16.05/hr
Sub Coverage	16.36/hr.

## BUILDING & ZONING

Code Enforcement Officer	83,501
Clerk part-time (Alison)	22.36/hr.
Zoning Compliance Assistant	59,000

## PARKS & RECREATION

Recreation Director	25,464
Recreation Leader(s)	TBD/hr.
Recreation Aides	TBD
Baseball Commissioner's	519
Groundskeeper	21.79/hr.

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Laborer	19.57/hr.
Laborer (Margaret)	17.89/hr,
Cleaners (Cara)	17.62/hr.
Historian	5,454
Cleaner (Connor)	16.78/hr
Cleaner (Carie)	16.05/hr
Shelter Reservations (Moe)	865

**JOINT ZONING BOARD OF APPEALS**

ZBA Member	687/annum.
ZBA Chairperson	2,062/annum.

**JOINT PLANNING BOARD**

Board Member	687/annum
Board Chairperson	2,747/annum

RESOLUTION 04-2025

**ESTABLISH A BUILDING REPAIR RESERVE FUND FOR THE LIVONIA PUBLIC LIBRARY**

On motion of Councilmember English seconded by Councilmember Dougherty the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
 Nays – 0

**A Resolution to Establish a Building Repair Reserve Fund for Livonia Public Library WHEREAS**, pursuant to **General Municipal Law, Section 6-c**, a municipal corporation may create a reserve fund for capital purposes and/or for the repair and maintenance of municipal property, and  
**WHEREAS**, the Board of Trustees of the Livonia Public Library recognizes the need to plan for future capital improvements and repairs to the Library's buildings and property, and  
**WHEREAS**, the Board of Trustees desires to create a reserve fund to meet such future needs: a **Building Repair Reserve Fund** for the repair and maintenance of Library facilities,  
**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Livonia Public Library hereby authorizes the establishment of a reserve funds as follows:  
**1. Building Repair Reserve Fund**

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- a. **Purpose:** The Building Repair Reserve Fund is established to accumulate funds for repair, maintenance, and improvement of the [Library Name] Public Library’s physical facilities, including unforeseen repairs and routine maintenance.
- b. **Funding Sources:** The fund shall be funded by annual appropriations from the Library’s operating budget, surplus funds, or other sources as determined by the Board of Trustees.
- c. **Use of Funds:** Funds from the Building Repair Reserve Fund may be used for necessary repairs and maintenance of the Library’s building(s) and related property. Expenditures from this fund will be authorized by the Board of Trustees based on the needs of the Library.

## 2. Management of the Reserve Funds

- a. The Library’s Board of Trustees Treasurer shall be responsible for managing the reserve funds, ensuring that the funds are invested in accordance with the Library’s investment policy and all applicable laws.
- b. The Board of Trustees will receive regular reports on the status and balances of the reserve funds, including the interest earned.

## 3. Reporting and Audits

- a. The Library shall report on the status of these reserve funds as part of the Library’s annual financial reports, and the funds will be subject to periodic audits as part of the overall Library audit.

## 4. Review of the Reserve Funds

- a. The Library’s Board of Trustees will review the reserve funds annually and make adjustments as necessary to ensure that the funds continue to meet the Library’s capital and maintenance needs.

**BE IT FURTHER RESOLVED**, that the Board of Trustees directs the Treasurer and the financial officer to take all necessary actions to implement and manage the reserve funds in compliance with **General Municipal Law, New York State Education Law**, and other applicable laws and regulations.

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon its adoption.

RESOLUTION 05-2025

### APPROVE MEETING MINUTES 12/19/2024

On motion of Councilmember Dougherty seconded by Councilmember Gascon the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to approve the Meeting Minutes from 12/19/2024.

# TOWN BOARD MEETING, TOWN OF LIVONIA

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RESOLUTION        06-2025

**2024 ANNUAL TOWN CLERK’S REPORT**

On motion of Councilmember Gascon seconded by Councilmember Dougherty the following resolution was

ADOPTED    Ayes -            4 (Gott, Dougherty, English, Gascon)  
                      Nays –            0

Paid to Supervisor for the General Fund	\$50,948.62
Paid to County Treasurer for Dog Licenses	\$2,156
NYS Comptroller’s Office (Bingo and Games of Chance Licenses)	\$382.50
Paid to NYS Ag & Markets for the Spay/Neuter Program	\$752.00
Paid to NYS Environmental Conservation for Hunting/Fishing Licenses	\$22,289.78
State Health Department (marriage licenses)	\$720.00
<b>TOTAL DISBURSEMENTS</b>	<b>\$77,248.90</b>

Resolved to approve Clerk Woodruff’s Annual Report.

RESOLUTION        07-2025

**TOWN CLERK REPORT**

Paid to Supervisor for the General Fund	\$2,906.54
Paid to County Treasurer for Dog Licenses	\$66.50
NYS Comptroller’s Office (Bingo and Games of Chance Licenses)	\$382.50
Paid to NYS Ag & Markets for the Spay/Neuter Program	\$21.00
Paid to NYS Environmental Conservation for Hunting/Fishing Licenses	\$77.47
State Health Department (marriage licenses)	\$22.50
<b>TOTAL DISBURSEMENTS</b>	<b>\$3,476.51</b>

Tax Collection is going well, with about 24% collected so far.

On motion of Councilmember English seconded by Councilmember Dougherty the following resolution was

ADOPTED    Ayes -            4 (Gott, Dougherty, English, Gascon)  
                      Nays –            0

Resolved to approve Clerk Woodruff’s Monthly Report.

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RESOLUTION 08-2025

**SET MEETING DATES FOR 2025 TOWN BOARD MEETINGS**

On motion of Councilmember Dougherty seconded by Councilmember Gascon the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to set the 2025 Town Board Meeting dates for the Third Thursday of each month beginning at 7PM at the Livonia Town Hall, 35 Commercial Street Livonia NY 14487

RESOLUTION 09-2025

**AUTHORIZE 30 DAY WAIVER FOR WINGATE BARN, LLC**

On motion of Councilmember Gascon seconded by Councilmember English the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to authorize Clerk Woodruff to sign the 30-Day waiver for the NYS Liquor License for Wingate Barn, LLC located at 6679 Big Tree Road, Livonia NY 14487

RESOLUTION 10-2025

**PLANNING BOARD AND ZONING BOARD APPOINTMENTS**

On motion of Councilmember Dougherty seconded by Councilmember English the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Planning Board Member- Rick Bennett to serve a seven-year term ending December 31, 2031 and serve as chairman for 2025

Zoning Board Member Rosemary Bergin to be reappointed to serve a five-year term ending December 31, 2029

Zoning Board member Mike Sharman to be reappointed as Chairman for 2025.

Secretary to Planning Board- Julie Holtje

Secretary to Zoning Board- Julie Holtje



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Resolved to approve the above appointments for the Planning and Zoning Boards.

RESOLUTION 11-2025

## **HIRE JEFFREY YAW AS PART TIME GROUNDSKEEPER AT VITALE PARK**

On motion of Councilmember English seconded by Councilmember Gascon the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to Hire Jeffrey Yaw as part time groundskeeper at Vitale Park at a rate of pay of \$20.00 an hour effective 1/18/2025

## **WATER DISTRICT DISCUSSION**

Attorney Campbell explained that over the last couple months we have talked about this project at length and as discussed, there are two ways for the Board to go about this. One, is to advance on Motion of the Board by adopting a resolution to create the district. After that, it would be subject to permissive referendum. Meaning, the people in that proposed district who object to the formation, can submit appropriate petitions. If enough are submitted, then it would move to a vote. The other option is to adopt the resolution subject to mandatory referendum. Attorney Campbell would not recommend that, as it is very expensive, and the petitions needed in the permissive referendum is pretty small anyway, meaning it is likely that enough petitions would be obtained to move the decision to a vote. Tonight, he suggests to move forward with SEQR, which is intended to determine if any significant Environmental impact would take place because of the formation of the district. Doing so would allow the Board the ability to move forward with the Resolution, either subject to permissive referendum or mandatory referendum. Once SEQR is done and if no environmental impact is discovered, then he suggests holding a special meeting next week to pass whichever resolution is the wish of the Board. Because the Livingston County News is the only paper in the area, and the Town's official newspaper we must work around their deadlines for publication, which is Thursday at Noon. Without abiding by publication deadlines, the whole district formation would be invalid. If the Board is inclined to want to move forward Attorney Campbell would suggest hosting the special meeting Wednesday January 22, 2025 and Clerk Woodruff can put the publication in that night for the following Fridays publication. From the date of formation, the 30 day clock starts for which petitions asking for permissive referendum can be submitted. All signatures must be authenticated to be valid. The Town and particularly Clerk Woodruff will be required to provide those petitions to anyone asking for them. Attorney Campbell drafted a petition that should meet legal requirements for authentication of the petitions. After signatures are obtained, they get submitted to Hayley and then her and Attorney Campbell will review to make

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sure signatures are legal and properly verified. In addition, they will check that the petitions are from residents eligible to sign. To move the formation to a vote, 5% of property owners on the most recent tax roll within the district must sign a petition. If the owner is a corporation or LLC they get one vote, not multiple. If someone owns more than one property in the proposed district, they get one vote, not multiple votes. Hayley must certify. Once signatures on the petitions are verified as authentic, then a special election will be set up. A proposition with clear language will be presented, and the Town will work with the Board of Elections to coordinate the notice, and the holding of the special election.

A Resident asked if multiple owners on tax bill could each owner sign? Yes. They must be owners, not renters or just residents in the home. Another question was if the map can be on website and back of petition, Jim advised that it is not his advice to put anything else on the petition, but if he would like to make a handout of his own with information then that is ok. This process is simply to compel a vote, not the actual vote.

Another resident asked who owns LCWSA. The Board advised that they are a private entity. The resident asked if they paid us for our pipes. Attorney Campbell advised they leased Livonia's water system for 40 years, and the pipes in Livonia are all still Livonia's, and if they want it back can take it back. When that lease is up, the then sitting Board will have to decide if they want to renew. They are not paying us, but they are operating and maintaining and taking over the business of water, so the Town doesn't have to maintain. The Authority will run it, but they don't take on the debt to build it (proposed water project) because they don't own it. Jim advised that LCWSA has board of directors' meetings that anyone can go to.

RESOLUTION 12-2025

## **SET SPECIAL MEETING FOR JANUARY 22, 2025 AT 6PM AT THE LIVONIA TOWN HALL**

On motion of Councilmember Gascon seconded by Councilmember Dougherty the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays - 0

Resolved to set a Special Meeting for Wednesday, January 22, 2025 at 6PM at the Livonia Town Hall, 35 Commercial St. Livonia, NY 14487

RESOLUTION 13-2025

## **ADOPT PART 2 OF SEQR AS OFFICIAL FINDINGS**

On motion of Councilmember Gascon seconded by Councilmember English the

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following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to adopt Part 2 of SEQR as official findings.

RESOLUTION 14-2025

**CLASSIFYING THE FORMATION OF THE TOWN OF LIVONIA CENTRAL LIVONIA WATER DISTRICT IN LIVINGSTON COUNTY AS A TYPE I ACTION, ESTABLISHING LEAD AGENCY AND DETERMINING THE SIGNIFICANCE OF SUCH ACTION, AND DIRECTING THAT THE NEGATIVE DECLARATION BE PUBLISHED IN ACCORDANCE WITH SEORA. RESOLUTION PURSUANT TO SEORA – Negative Declaration**

Board Member Gascon presented the following resolution and moved that it be adopted, and it was seconded by Board Member Dougherty

BE IT RESOLVED BY THE BOARD OF THE TOWN OF LIVONIA AS FOLLOWS:

**WHEREAS**, the Town of Livonia (“Town”), based on public interest, has proposed the formation of the Town of Livonia Central Livonia Water District (“District”); and

**WHEREAS**, the proposed District will include a total of approximately 125,350 linear feet of 8-inch water main. The water main will be installed along portions of Pennemite Road, Vanzandt Road, Densmore Road, South Livonia Road, Cadyville Road, Cleary Road, Price Road, Decker Road, Backus Road, Holmes Hill Road, Coe Road, Niver Road, Federal Road, Adams Road, Blank Road, Lindsley Road, and Richmond Mills Road and will serve approximately 374 residential, commercial, and agricultural properties; and

**WHEREAS**, to aid the Board in determining whether such Project and financing and other actions of the Board in connection therewith (the “action”) might have a significant effect on the environment, the Board caused to be prepared an environmental assessment form or similar information (“EAF”), a copy of which it attached hereto; and

**WHEREAS**, the Board duly reviewed the EAF and related documents with respect to the above-referenced project and duly considered the impacts which may be expected to result from the proposed action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”); and

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**WHEREAS**, the Board determined that the project was an “Type I Action” pursuant to SEQRA; and

**WHEREAS**, the Board determined that the project included one or more involved agencies, mandating a coordinated review; and

**WHEREAS**, the Board duly notified the other involved agencies pursuant to 6 NYCRR 617.6(3)(i) and indicated its willingness to be designated Lead Agency status; and

**WHEREAS**, all of the involved agencies have consented to the Board’s request to be designated Lead Agency status;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE TOWN OF LIVONIA THAT SAID BOARD DECLARES ITSELF TO BE LEAD AGENCY FOR THE PROJECT FOR THE PROPOSED ACTION AND THEREFORE RESPONSIBLE FOR DETERMINING WHETHER AN ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED IN CONNECTION THEREWITH AND OTHERWISE COMPLYING WITH THE PROCEDURAL AND SUBSTANTIVE REQUIREMENTS OF SEQRA;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE TOWN OF LIVONIA AS FOLLOWS:

1. Based upon the review by the Board of the EAF and other necessary criteria, the Board hereby finds and determines that the proposed action is an “Type I Action” under SEQRA and will result in no significant impacts and therefore, such action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. Reasons supporting this determination are included in the EAF and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
2. A copy of this resolution shall be placed on file in the office of the Town of Livonia, where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

The question of the adoption of the foregoing Resolution was duly submitted for approval

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by vote of the Livonia Town Board on January 16, 2025, recorded as follows:

<b>Vote of the Board:</b>	<b>Councilperson Joseph Breau</b>	<b>absent</b>
	<b>Councilperson Peter Dougherty</b>	<b>aye</b>
	<b>Councilperson Andrew English</b>	<b>aye</b>
	<b>Councilperson Matt Gascon</b>	<b>aye</b>
	<b>Supervisor Eric R. Gott</b>	<b>aye</b>

This is to certify that I, the undersigned, Clerk of the Town Board of the Town of Livonia, Livingston Count, New York, was duly adopted by the Town Board of said Town on date above, and that the same is a true and correct transcript of said resolution.

In witness where of I have hereunto set my hand and the official seal of the Town Clerk this 16<sup>th</sup> day of January, 2025.

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Hayley Woodruff – Town Clerk

Attorney Campbell read the above resolution aloud to the meeting.

RESOLUTION 15-2025

**SET SPECIAL MEETING WITH EMS COMMISSIONERS FOR FEBRUARY 6<sup>TH</sup> AT 7PM AT THE LIVONIA PUBLIC LIBRARY, PATTERSON ROOM**

On motion of Councilmember English seconded by Councilmember Dougherty the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to schedule the next meeting with EMS Commissioners for February 6, 2025 with Attorney Pinsky present by zoom at the Livonia Public Library at 7PM

RESOLUTION 16-2025

**AUDIT OF CLAIMS**

On motion of Councilmember Gascon seconded by Councilmember Dougherty the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to pay claim number 1-26 in the amount of \$45,880.84 from the Abstract dated

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January 2, 2025.

RESOLUTION 17-2025

## **AUDIT OF CLAIMS**

On motion of Councilmember Dougherty seconded by Councilmember Gascon the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to pay claims 27-74 in the amount of \$77,373.82 from the Abstract dated January 16, 2025.

Supervisor Gott recognized Paul Marshall and all his years of service to the town and sends condolences for his passing and specifically to the Towns Employee Shelia Staley and her family.

RESOLUTION 18-2025

## **ENTER EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT HISTORY OF A SPECIFIC INDIVIDUAL WITH ADAM BACKUS AND ATTORNEY CAMPBELL**

On motion of Councilmember Gascon seconded by Councilmember English the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to enter Executive Session at 8:21PM

RESOLUTION 19-2025

## **RETURN TO OPEN SESSION**

On motion of Councilmember Gascon seconded by Councilmember English the following resolution was

ADOPTED Ayes - 4 (Gott, Dougherty, English, Gascon)  
Nays – 0

Resolved to return to Open Session at 9:36PM

With no further business, on a motion of Councilmember Gascon seconded by Councilmember English the meeting was adjourned at 9:36PM. Carried unanimously.

Respectfully Submitted,

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Hayley Woodruff  
Town Clerk