

Town Board Meeting

April 22, 2010

Present: Dave Lewis, Jeff Logan, Kitty Brown, JaneAnn Williams, Toni Hokanson

At 7:38 p.m. the meeting was opened by Supervisor Hokanson with the Pledge of Allegiance.

Agenda: Add formation of lighting committee to look at street lighting. Rusty's letter referred to Dave Clouser. A motion was made by the Supervisor to accept the agenda as amended. Seconded by Councilman Logan, all aye votes cast, motion carried.

Public Comment:

Supervisor- 3 Public Hearings needed not done as of last week.

Tasers: Town Board is the authority on spending seized asset money. Money in the budget is available otherwise the Town Board has no authority in lieu of having a police Commission as provided in Town and State law.

Fred Van Nostrand: Never saw a flood on Plutarch Road. Problems started with the beavers. Van Nostrand Road worse than Elliott's Lane with beaver activity. Supervisor Hokanson had no answer today.

Margaret Human: Do what you can to not authorize the money – more humane than shooting, very effective weapon – could be used in instances where deadly force wouldn't be used.

Steve Takacs, Town resident: Fired questions of board members; feels people are deciding on issues in which they have no experience or connections-that's not good, Legislating own personal agendas. Personally – beavers are not State- protected – get rid of them. What about removal of Lou Yess from Highway Department and how is that hearing progressing. Told Toni it was a waste of taxpayers' money – hard to fire Town Employees – told it was inappropriate; this is example of bad leadership. Wrong for Town to stand behind trying to fire Lou. Not in favor of Town board pursuing suit against Lou just wasting a lot of money.

Amanda Stauble: Here now from Ct., arguing on money for tasers. She does not want to see anything happen in the Town. She encourages Board to see effects of use of tasers. Saw New Paltz bar fight -indiscriminately pepper sprayed by police. She stressed that the Board should think about it and do research.

Justin Holmes stated he would have gone to Police Commission meeting. "8 things you might not know about tasers" – Taser International pays out settlements. Lots of injuries to cops. Positive feeling about current chief. Technology enthusiast – need to think about how we use technology. Suggests we not affiliate ourselves with taser international. We could buy taser-cams.

Ariana Basco, foiled – learned big lesson –did not realize power of Police Commission. Stand up and say we do not want this kind of violence in this community. This level of intimidation –this is added level of intention.

Brian Kimbiz, Village Trustee, was at the Police Commission meeting –they said they would vote after autopsy report – 2 month wait request not honored. Polling of community would probably not be favorable. 3-2 the vote was by Police Commission. He hopes The Town Board would consider Justin's info – more cost incurred with training for officers.

Councilman Logan questioned if Village Board is putting it on their agenda? Brian said he would discuss at Village meeting. Greater impact would be on Village residents rather than Town residents.

Announcements:

Acquisition of Electronic Control Devices (Tasers) with seized assets funds: Chief Joe Snyder request P O from seized account purchasing 2 for ERT members, \$27,000 is cost for everything. Taser International is Vendor. Autopsy rule was drug overdose. Use of force reports to Commission will continue. Did a lot of research – got positive feedback from those using tasers. This is another tool to prevent use of lethal force by police. Guidelines have to be followed or accountability will occur. Most states allow civilians to carry tasers. Chief says he will not tolerate misuse of tasers. He would rather use money from drug money. There are camcorders in cars; officers wear mics; everything is recorded. We are trying to be transparent. It is the Chief's belief that this will be an asset to the Police Dept. Seized assets fund is just under \$30,000.

Councilwoman Brown had her list of questions.

Police Budget has line for ERT – could be used for tasers, or anything. Line for less than lethal – (\$1000) ESU \$500. Less that lethal (sand bags), Tasers are less lethal.

Councilwoman Williams has report – British Columbia – 5 years ago similarly mirrors debate of pepper ball. Tasers used on victims on drugs or drunk usually result in death; 21 reports cited.

Councilwoman Brown questioned Lt Osarczuk- taser in back, is this typical? Yes. She questioned 2 officers not on duty -what is their response time? Chief answered he would like to see test there – maybe a few more will be added. Question: no tasers carried by State Police, why? A: cost is a big issue. Question: Campus? A: not assigned to particular officers. Question Physical force? A: Is more verbal than physical. Question: Wit the Host law can you determine where they were served? Question: if we know crime happens midnight – 5 am what is being done to prevent this?

Councilman Logan agrees with Councilwoman Brown – the majority of use of force calls are on Main Street.

At 8:58 p.m. Supervisor Hokanson made a motion to go into Executive Session. Seconded by Councilwoman Williams, no vote from Councilman Logan and Councilwoman Brown; aye votes from Councilman Lewis, Councilwoman Williams, and Supervisor Hokanson. Councilwoman Brown's friendly amendment call attorney to move conference call to 9:30 p.m. Half hour granted.

Councilman Logan questioned the Chief if we are looking at wrong tool to correct behavior? The chief answered he believes that by adding taser we are adding another tool to reduce injury- not increase injury – prior to needing to go to gun. Under some circumstances officers can go to the gun not the taser. Officers intentional to be intimidating. Urges a ride-along to Councilwoman Brown. Use of force report used for training purposes. Councilwoman Brown questioned out of 21 use of force reports – no one has died. Placing our Town in a situation of liability. She wants to change climate that endangers our police officers

Councilman Logan suggested putting off request to 5/20 meeting for money. Chief replied No. Councilman Logan is looking for Village input; the Police recommendation was 4 sentences, he was a little disappointed with information from Police Commission. Chief – not our residents; Councilwoman Brown responded 3 SUNY students and 3 town residents. Time to move forward. Councilwoman Brown read over Ariana's report.

Supervisor Hokanson questioned if the board members had enough information to vote tonight? Vote is aye from Councilwoman Williams, Councilman Lewis, Supervisor Hokanson, Nay from Councilwoman Brown and

Councilman Logan. Supervisor Hokanson moved to authorize the purchase of taser not to exceed \$2700, seconded by Councilwoman Williams. Councilman Logan sees it irresponsible to vote without Village input.

Councilman Logan- His message is he is concerned for the lives of our residents, visitors and temporary residents.

Supervisor Hokanson stated that the Police Department is under excellent command.

Councilman Lewis went on to say that Chief only asking for 2, more information to look at, if we wanted more officers to be armed and policies and procedures would be used. He is in agreement to allow at least 2 tactical officers. Vote still 3 aye, 2 nay from (Brown, Logan).

At 9:31 p.m., Supervisor Hokanson made a motion to go into Executive Session. Seconded by Councilwoman Williams, all aye votes cast, motion carried.

At 10:42 p.m. Supervisor Hokanson made a motion to come out of Executive Session with no action taken. Seconded by Councilwoman Williams, all ayes votes cast, motion carried.

Stewart's Shop request for use of Moriello parking lot- Stewart's requests the use of Moriello parking lot from May 3rd for 4 weeks. They need certification of insurance, Village approval and no contamination of stream. Councilwoman Williams moved to approve the request to use Moriello parking lot for access to their parking lot for about 4 weeks, seconded by Councilman Logan, all aye votes cast. Work must be completed by May 28th.

Set Public Hearing – Local Law to repeal Chapter 82 “Flood Damage Prevention”: Supervisor Hokanson moved to declare the Town lead agency and to set Public Hearing for May 20th at 7 pm. The motion was seconded by Councilwoman Williams, all aye votes cast.

Set Public Hearing - Local Law to amend Chapter 121 –“ Subdivision of Land”: Supervisor Hokanson moved to amend chapter 121 and set the Public Hearing for May 20th at 7:05 pm. This motion was seconded by Councilwoman Williams, all aye votes cast.

Set Public Hearing – Local Law to repeal Section 140-19 “Floodplain District”: Supervisor Hokanson moved to declare the town lead agency and set Public Hearing for May 20th at 7:10 pm. This motion was seconded by Councilwoman Williams, all aye votes cast.

Change order for construction of ASR building (PD location): ASR building doors were missed in original plan – change order decreased. Supervisor Hokanson made a motion to approve the payment of \$3,135 for doors. Seconded by Councilman Logan, all aye votes cast, motion carried.

Supervisor Hokanson talked of formation of a lighting committee – Norman Turner is checking into street lights. Some of those lights can be eliminated, some may be needed. Temporary committee will make recommendations to the Town Board. Supervisor Hokanson moved to appoint Mark Sherman, Lynn Bowdery, Mike Zierler, Pat Schwartz and Norman Turner to the temporary lighting committee. Councilman Lewis seconded this motion and all aye votes were cast. Councilman Logan offered to serve as liaison. Councilwoman Williams, who was working with the committee, said she will defer to Councilman Logan.

Prepayments:

Supervisor Hokanson made a motion to approve the prepayment of PO 91614 from line AAA522871040 Open Space to William D. Youngblood, Land Surveying, PC in the amount of \$3075. This is the retainer for the surveyor for the Boundary Survey, Sunset Ridge Property. Seconded by Councilman Logan, all aye votes cast, motion carried.

Supervisor Hokanson made a motion to pass resolution authorizing the Supervisor to modify the 2010 budget: to increase the budget due to contracted expenses not spent in 2009 for renovation for the police building due to the delay in the start of construction from line# AAA808888 appropriated fund balance to AAA22802040 Infrastructure Planning – Contractual Expense in amount of \$77,000. This motion was seconded by Councilman Logan, all aye votes cast, motion carried.

Approval of minutes: December 3rd: Councilwoman Brown corrected the spelling of Tom Aube's name, sending to Secretary. Page 4: Councilwoman Brown presented retired county legislators cover employees paying 50% of healthcare costs. Supervisor Hokanson made a motion to adopt the minutes. Seconded by Councilman Logan, all aye votes cast, motion carried.

January 28th: Supervisor will get Joey's last name. Clerk: he was here at a meeting? He's Joey Di Blanca. Supervisor: Yes. Supervisor Hokanson made a motion to approve. Seconded by Councilman Logan, all aye votes cast, motion carried.

March 5th (Special Meeting) Attorney contract – employees entitled to fully paid health care. Supervisor could not ask certain employees to contribute due to contract to contribute. Attorney said just this week the Board is doing it right. Hired after 2002-make a contribution in retirement. Councilwoman Brown will go back, clear it up. Councilwoman Brown asked that a sentence be stricken from the minutes- page 2-Supervisor says 20% to prevent 50% that Ms. Brown was suggesting. Supervisor stated that is what I said. The Clerk said it's irrelevant that you don't like what she said, cannot be stricken by request. Supervisor Hokanson made a motion to adopt the March 5th minutes. Seconded by Councilman Logan. Councilwoman Williams offered a friendly amendment, they be accepted with Councilwoman Brown demurring. Supervisor not agreeing, all aye votes cast, motion carried.

Supervisor Hokanson made a motion authorizing herself to work with the town attorney to write an amendment to the ASR building lease. Seconded by Councilman Logan, all aye votes cast, motion carried.

Note: Councilman Brown objected to inclusion of that paragraph in the March 5th minutes.

At 11:06 p.m. a motion was made by Councilman Logan to adjourn. Seconded by Councilwoman Williams, all aye votes cast, motion carried.

Respectfully submitted,

Marian Cappillino
Town Clerk