

The Regular Meeting of the Nassau Town Board was held on Thursday, September 11, 2003 with the following members present: Supervisor Carol Sanford; and Council Members Ian Hart, Donald Carpentier, William Lobdell and Barbara Fausner.

Mrs. Sanford called the Meeting to order at 7:45 P.M.

No 191 Motion made by Mrs. Sanford; seconded by Mr. Lobdell to approve the Supervisors Report as read. All in favor.

No 192 Motion made by Mrs. Sanford; seconded by Mr. Hart to approve the Minutes of the July 10, 2003 Town Board minutes. All in favor.

No 193 Motion made by Mrs. Sanford; seconded by Mrs. Fausner to approve the Minutes of the Emergency Meeting held on July 29, 2003. All in favor.

No 194 Motion made by Mrs. Sanford; seconded by Mr. Carpentier to approve the Minutes of the Public Hearing on the Highway Commercial District held on August 14, 2003. All in favor.

No 195 Motion made by Mrs. Sanford; seconded by Mr. Carpentier to approve the Minutes of the August 14, 2003 Regular Board Meeting. All in favor.

#### Reports

Highway Superintendent Scott Gallerie reported that the Department has been very busy with storms. They are now on the Coldwater Tavern Road construction project. Town of Poestenkill Highway Department assisted the Nassau Highway Department in putting down 2200 tons of crusher run and the fabric down. This covers about half of the road. Mr. Gallerie has received comments that it is a very dusty road but that will not be that way for long but by the end of next week the face will be stabilized and rolled in preparation for the top and stone. The weather must remain above freezing for 3 weeks after the stone goes down for the road to cure properly. He advised travelers to proceed slowly until the top is put on. He hopes to finish Coldwater Tavern Road by the first of October. At that time trucks must be prepared for winter and the salt shed must be filled. If time permits, the Department will go on to preparing the next Highway on the priority list for work to be done in the Spring. There are a couple of hot mix projects to be done before the hot mix plant closes in November. The patching work has been done at the Nassau Free Library and the tree removal will be taken care of later in the fall. The Department will be making a priority of installing the culvert near Miss Marquettes home on Sherwood Acres Road. Each rain storm causes a runoff at her property.

Town Clerk Rita Labrum asked for someone to take Minutes at the Special Meeting to be held on September 22, 2003 as she will not be available.

Code Enforcement Office submitted a written report.

Town Attorney Phillip Danaher said that he has three litigation matters to discuss but that will be done in Executive Session, later in this Meeting.

#### Town Board

Mr. Hart commented on the upcoming resolution on the Nassau Emergency Services. Sometimes we forget that though they call themselves a Fire Company, they respond to emergencies of all kind. He tried to estimate the cost of the Fire Department in the past 100 years and came up with a figure of over \$200,000,000.00 in services to the residents of the Town. He recalled the names of some of the people that he knew who served, Will Herrington, Chick Andrus, Hoppy Decker and of course Archie Sherman who

still serves today.. He wanted to express his thanks to the Fire Company. He said that it was kind of funny that we were passing this particular Resolution today.

Mrs. Sanford said that she had a call from Kelly Paslow and this area has been declared a disaster area for individual assistance only, as a result of the tornado. An appeal has been filed to get assistance for the work done and being done by the Highway Department

No 196 Motion made by Mrs. Sanford; seconded by Mr. Carpentier to permit FEMA Representatives to use Town Hall to meet with victims of the tornado to file their claims and get other information. All in favor;.

#### Public Comment

Mike Roland asked that questions be considered in the Comment part of the meeting. Mrs. Sanford replied that anyone can call her at any time. She is available to answer questions at any time. Mr. Roland commented that he hopes that the Town will begin the SEQR process . He wants to know where the Town is on the enforcement action on the Junkyard issue. Mrs. Sanford replied that that issue is in court and has been for months. We will be discussing the ruling later this evening.

Scott Gallerie feels somewhat responsible for the work that the Town Board is doing and he feels that the Town Board is a dedicated group of people and have the best interests of the residents in mind. He encouraged people to participate in the workshop that is planned.

No 197 Motion made by Mrs. Sanford; seconded by the entire Board to approve the Nassau Fire and Ambulance Resolution as read by Mrs. Sanford. All in favor.

No 198 Motion made by Mrs. Sanford; seconded by Mrs. Fausner to schedule an All Boards Workshop regarding the Commercial Zoning overlay, on October 23; 2003 at 7:30 P.M. at the Town Hall All interested residents are invited to attend.

Poll vote:	Mr. Hart	Yes
	Mr. Carpentier	Yes
	Mr. Lobdell	Yes
	Mrs. Fausner	Yes
	Mrs. Sanford	Yes.

No 199 Motion made by Mrs. Sanford; seconded by Mr. Hart to make a loan from the A Fund to the DB Fund of \$30,000 plus interest, pending receipt of CHIPS money and grant money that is due. Mr.Gallerie said that there are two checks outstanding right now totaling about \$58,000 and he anticipates about \$75,000 from CHIPS.

Poll vote:	Mr. Hart	Yes
	Mr. Carpentier	Yes
	Mr. Lobdell	Yes
	Mrs. Fausner	Yes
	Mrs. Sanford	Yes.

No 200 Motion made by Mrs. Sanford; seconded by Mr. Hart to make the following transfers:

From	To	Amount
A 5132.2	A 5132.4	# 100.00
A 1990	A 5182.4	1000.00

All in favor.

No 201 Motion made by Mrs. Sanford; seconded by Mrs. Fausner to approve the General Abstract in the amount of \$17,481.84.

Poll vote:	Mr. Hart	Yes
	Mr. Carpentier	Yes
	Mr. Lobdell	Yes
	Mrs. Fausner	Yes
	Mrs. Sanford	Yes.

No 202 Motion made by Mrs. Sanford; seconded by Mrs. Fausner to approve the Road Improvement Abstract in the amount of \$2880.84.

Poll vote:	Mr. Hart	Yes
	Mr. Carpentier	Yes
	Mr. Lobdell	Yes
	Mrs. Fausner	Yes
	Mrs. Sanford	Yes.

No 203 Motion made by Mrs. Sanford; seconded by Mr. Hart to approve the All Funds Abstract for 7-11-2003 thru 8-14-2003 in the amount of \$ 4918.95.

Poll vote:	Mr. Hart	Yes
	Mr. Carpentier	Yes
	Mr. Lobdell	Yes
	Mrs. Fausner	Yes
	Mrs. Sanford	Yes.

No 204 Motion made by Mrs. Sanford; seconded by Mr. Lobdell to approve the Trust & Agency Abstract for 7-11-2003 thru 8-14-2003 in the amount of \$ 10,665.18.

Poll vote:	Mr. Hart	Yes
	Mr. Carpentier	Yes
	Mr. Lobdell	Yes
	Mrs. Fausner	Yes
	Mrs. Sanford	Yes.

No 205 Motion made by Mrs. Sanford; seconded by Mr. Hart to approve the All Funds abstract for 8-15-2003 thru 9-11-2003 in the amount of \$1055.38.

Poll vote:	Mr. Hart	Yes
	Mr. Carpentier	Yes
	Mr. Lobdell	Yes
	Mrs. Fausner	Yes
	Mrs. Sanford	Yes

No 206 Motion made by Mrs. Sanford; seconded by Mr. Hart to approve the Trust & Agency abstract for 8-15-2003 thru 9-11-2003 in the amount of \$15,778.94.

Poll vote:	Mr. Hart	Yes
	Mr. Carpentier	Yes
	Mr. Lobdell	Yes
	Mrs. Fausner	Yes
	Mrs. Sanford	Yes.

No 207 Motion made by Mrs. Sanford; seconded by Mr. Hart to enter into an Executive Session at 8:19 P.M. All in favor.

Mr. Danaher announced that a Preliminary Injunction has been granted in the Nalley case which means their ability to operate has been discontinued. Norman Young asked if they can appeal this decision. Mr. Danaher said that if they appeal they must get a stay and the Judge will only grant a stay if he feels there is a strong likelihood of success on appeal. The Judge must now hold a hearing on the matter.  
No 208 Motion made by Mrs. Sanford; seconded by Mr. Hart to reconvene at 8:43 P.M. All in favor.

No 209 Motion made by Mrs. Sanford; second by Mr. Carpentier that the Town of Nassau hire Attorney Craig Crist as Special Counsel, to continue to carry on the Nalley matter, at a cost of no more than \$3000.

Poll vote:	Mr. Hart	Yes
	Mr. Carpentier	Yes
	Mr. Lobdell	Yes
	Mrs. Fausner	Yes
	Mrs. Sanford	Yes.

Motion made by Mrs. Sanford; seconded by Mr. Hart to adjourn at 8:45 P.M. All in favor.

Respectfully submitted,

Rita M. Labrum  
Nassau Town Clerk