

Angelica Town Board Meeting Minutes July 26, 2021

Angelica Town Board

Meeting Minutes

July 26, 2021

Opening

The Public Hearing on Local Law #1 of 2021 was called to order at 7:00 pm on July 26, 2021 in Angelica, NY at the Grange Meeting Room at 55 Park Circle by Robert Jones.

The Pledge of Allegiance was said.

Present:

Robert Jones, Supervisor
Elwyn Gordon, Councilman
John "Skip" Hecker, Councilman
Girard Kelly, Councilman
Don Case, Councilman

Recording Secretary:

Sharon Presutti, Town Clerk

Absent:

None

Others Present:

Guy Starck, Bob Budinger, David Haggstrom, Don Ash,
Karen Ash, Jeremy Morton, Mike Trivisondoli, Chris Geoppner,
Barb Broughton, Linda Warner, Marilyn Warner, Terri Ross,
Leslie Haggstrom, Seth Preston, Abigail Preston, Robin Robbins,
Richard Stewart and Debbie Stewart

Robert Jones started the Public Hearing by noting that there is a change to the wording of the Introductory Local Law #1 or 2021 in Section 5, a couple of typos. Robert Jones read Section 5 – The appointed Superintendent of Highways shall have such powers and perform such duties as are or hereafter may be provided, conferred or imposed by law and such further duties, change and to as, the Town Board may assign so long as not, change consistent to inconsistent, with the law. Robert Jones added that those were the only changes.

Robert Jones read the Public Notice posted by the Town Clerk, Town of Angelica – Monday, July 26, 2021 – Public Hearing Notice of Public Hearing on Proposed Local Law Notice is hereby given that a public hearing will be held before the Town Board of the Town of Angelica at the Grange Building Meeting Room, 59 Park Circle in the Town, of Angelica, New York, at 7 P.M. on the 26th day, July 2021, concerning proposed Local Law Number 1 of 2021, entitled “A Local Law to change the office of Highway Superintendent from an elected office to a position appointed by the Town Board”. The purpose of the Local Law is to change the office of Highway Superintendent from a voter elected position to a Town Board appointed position. The Town Board will have the authority to name the Town Highway Superintendent, to remove the Highway Superintendent for malfeasance or misfeasance in office in accordance with applicable law and to fill any vacancy in the office of Town Highway Superintendent of the Town of Angelica. A copy of the proposed Local Law is available for inspection at the office of the Town Clerk. At such time and place all persons interested in the subject matter of

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the proposed Local Law will be heard concerning the same. Dated: Town of Angelica, New York, July 13, 2021 Sharon Presutti, Angelica Town Clerk

Robert Jones then explained what this is about – what I just read pretty much explains it all.

Robert Jones read the ground rules for this Public Hearing:

1. Anyone choosing to speak will address all remarks to the Town Board. We are not here to have a debate between those “for” and those “against” this local law.
2. The Board is here to listen to your opinion on the local law before us tonight and is not here to express its own views.
3. If you are in favor of the law, simply tell us and please give us your reasons why; and likewise, if you are against it.
4. If you speak, please identify yourself.

Guy Starck: Guy stated that he didn't have anything to say, just listening.

Linda Warner: Linda stated that she is a Village resident, when she first heard of this she was not for it but now she is for it. She said that is because she is a person who feels that her vote should matter, she votes for everything she can. She feels this situation is a little different, she feels that the people also vote for the Board members so that kind of protects the people. In this situation she would rather have appointed because what's going on now infuriates her, a man holding two jobs, that hasn't been to a Board meeting that, she knows it's her fault for not asking any of the Board members but what were to happen if he is working both jobs and he gets hurt and then comes here, how do we know as a taxpayer where he was injured, she thinks he needs to be on the ready for any situation, if he is working a full time job somewhere else that's not going to happen, she stated that we elect you people to have that knowledge to appoint someone that you feel fit, that's why we put you there as a community to make those decisions for us, you are here for the residents of the Village and Town. She will say she is first for elected but if a state loophole like this is created then she is all for appointed because something is going to happen someplace down the road and we will be sorry.

Richard Stewart: Richard stated that he is a Councilman from the Town of Howard, in Steuben County. He stated that they undertook this act in the mid-70's moving from an elected position to appointed, he said overall he thinks it has worked out fairly well because people that were appointed tended to business but it can evolve into cronyism as your Board changes and so on, they can also appoint outside of their township where the elected position has to be within the township, sometimes you don't have a qualified person within the Town so with appointed you can look outside. He went on to say that about three years ago they appointed someone from the Town of Freemont and that has worked out less well, he is not a community resident, he doesn't pay taxes in our Town, he is not so caring, so the Town Board does have the authority to appoint anyone they want and it does give you ultimate control over the person that is appointed, there may be some other method to preserve the elected position. He said you may be aware of the Town Clerk matter in the Town of Allen which got voted down gloriously about a year ago, they may be trying again, people do not want to give up their franchise. He went on to say that he saw this meeting advertised in the paper, he is a big fan of the Allegany Fair and was over to that so he thought he would come to the meeting. He offered if anyone wanted to talk with him privately about how things are in the Town of Howard he is willing to do that. The one thing that he would stress the most is to have a well written contract with whomever you appoint so they know exactly what is expected of them by the Town Board, that was a failure in Howard, they are unionized with their regular laborers, in which they have 4, then they have their Supervisor and Deputy Supervisor who are not part of the

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bargaining unit, they had a fellow leave after 13 years without a grievance and then he walks into the Town Clerks office who is also the payroll clerk and said well here's my bill for 13 years of no vacation and no sick days do he wanted a check for \$25,000.00, the Town Clerk paid him unbeknownst to the Town Board or Supervisor, he just assumed he had all the benefits of the Union employees with their sick and vacation days. In the strongest possible terms before you appoint someone have a very well written contract that spells out exactly what his wage and benefits are, which is negotiable. This should be done in advance of appointment; they are still struggling with this. Robert Jones thanked him and said he would like to talk some more to him about that. Richard then introduced his wife Debbie who is the Town Clerk, she just came along for the ride. They have made quite a few changes in the Town of Howard once questions started being asked, got rid of the Town Clerk, Town Supervisor and the Town Attorney who wasn't worth the money that he was being paid, a Town Board member also left who didn't like controversy, this all happened within the first 6 months that he was on the Board.

Robert Budinger: Robert feels that we should let the people of Angelica decide either way.

Chris Geoppner: Chris stated that he is just listening, he does not have an opinion either way.

Terri Ross: Terri stated that she is a Village resident her opinion is that it needs to stay as an elected official so that there is some kind of balance of power and that three people on the Board don't have that decision to be made for the entire Village and the Town she feels that it is important to have the difference of control, the Board sets the budget that person has to live within that budget. She feels that there are things that a part time Board member does not know all the rules and regulations that a day to day elected official does, she believes it needs to left as an elected position and voted on by the public, so be it, whatever the decision is but her opinion is it should stay elected.

Marilyn Warner: Marilyn stated that she is a Town resident, right off the top of her head she said no, she feels that we should be able to vote on it, it should be up to the people. She then stated that she is here to listen and to learn.

Robert Jones added that if the Board goes forward with this the law it requires that a mandatory referendum will be put on the ballot in November and that will be the deciding factor.

David Haggstrom: David stated that he agrees with what Bob Budinger had to say, that it should be the people's choice, he, himself, personally, not speaking as the reporter, is not in favor of making the change.

Robin Robbins: Robin stated that she can see both sides but she is leaning the way of staying as elected.

Jeremy Morton: Jeremy stated that he is a Village resident and currently the Deputy Town Highway Superintendent, speaking as a Village resident it's going to put the Village into an uproar if it goes to an appointed position, if the appointee doesn't want to do shared services, the Village would have to appoint a Street superintendent, an additional expense for the Village, he is highly against this.

Abigail Preston: Abigail stated that she is just here to listen.

Seth Preston: Seth stated that he is just here to listen.

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Leslie Haggstrom: Leslie stated that she has never been one to just listen. She said she has heard some interesting things here that has given her some thought, she doesn't know, she lets her husband come to the meetings, she reads the Booster News, she doesn't know the back story, she doesn't know the things that Linda was referring to. She does know that our current elected Highway Superintendent has done an excellent job, that he has been on top of knowing what needs to be done in an emergency, he has all his facts and figures and records together to apply for any type of grant or emergency reimbursement that might be available, she has been happy with shared services, she thinks that's the way we need to go and she is concerned that if this is changed to an appointed position we may have trouble getting people who have been trained to do the job to take the job because any election that changes one of the three could mean that somebody's uncle or somebody they like better could end up in the position and we could lose a lot of continuity of the work that is being done and she does pay attention to what is being done in the Village and the Town and she does pay attention to the planning that takes place so that every year a little bit of everything gets done and an elected Highway Superintendent means that that Superintendent needs to develop and implement that plan his or herself and isn't at the whim of trying to please the Board members so that they don't appoint somebody else, she has a concern about that. So all in all she is in favor of it continuing to be an elected position and doesn't think that our Town Board members change often enough to throw the bums out if we don't like who they appoint, that's not a good solution, yes, you are all elected but not often enough if all of a sudden things go South. She is also concerned with what Richard Stewart said about benefits but she is not that familiar with what the current procedure is if a person can hold another job. She feels that if all of their work is being done, and done well, then you don't know if that will lead to the change you are trying to make, she is willing to listen to everyone.

Robert Jones apologized, he went right by Karen Ash, she said that was ok.

Karen Ash: Karen stated that she prepared her remarks because she is a terrible exemplary speaker, she thanked everyone for inviting them to the Public Hearing, she thanked everyone for coming. She stated that her name is Karen Ash, she is an Election Inspector for the County, she is a founding member of the League of Women Voters for Cattaraugus and Allegany Counties, she has been a registered voter for 45 years. She accompanied her daughter to the National Mall in Washington, D.C. when it was her turn to register, voting is as precious to her as well whatever is precious to you is to you, its very precious to her. She went on to say that voting is her right and her privilege, it is one of many rights and privileges that are afforded to her as a citizen, rights which others, including people from our community, who fought for and died for, lest we forget. On behalf of the other 899 registered voters in this Town she is offended by this proposal which seeks to silence our voice and our votes. This seeks to place authority to the Town Highway Superintendent in the hands of only three people, any three who may now or anytime in the future hold the majority of our Town Board. As she said she has been a registered and active voter for 45 years, things don't always go her way, but at least she gets to mark a ballot and cast her vote and then put her trust in the wisdom of the majority. She went on to say that some of the Town Board members have been in office for fewer than 4 years, but by proposing this law somehow it seems as though they feel they have more insight, more authority, more wisdom than the voters who they report to serve. She understands that the Board can rescind this proposed law and it would not be placed on the ballot, based on the testimony of the majority of those who have stated a preference here tonight, your constituents, the people you report to serve she hopes you recognize and honor our wishes. She went on to say that you are 3, we are 900, don't suppress out votes, rescind this offensive local law, thank you.

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Barbara Broughton: Barb stated that she is a Town and Village resident, she knows everyone that was here last week knows that she is definitely opposed to this change. She thinks some people sometimes forget that those in the Village are also Town residents. Barb definitely is opposed to this proposition; she asks that you take out what the current Highway Superintendent is doing, the fact that is that you want to take her vote away and that is where she is coming from. There was talk of the Almond Town Clerk, that has gone down twice, we talked about what if someone has two jobs and gets hurt at one, there are families that work two and three jobs. She feels that the current Town Superintendent is doing his job, he is supervising his crew, unless you are telling Jeremy Morton right now that he is not doing a good job right now as deputy, then Fred Demick is doing his job. She went on to say that Fred Demick is also being taken out of the picture, Fred Demick is leaving on July 31st, so she thinks we owe it to someone to continue to do this, this seat is not changing this year, this seat will not change until 2024, this position will be on the ballot, she is positive names will be on the ballot or you will have a write-in, someone will win this seat and they will serve it until the end of 2024, she does not see the sense in changing this now, all of you sitting on the Board might not be here to make the decision of who the appointment even is. If it is left up to the Board we are not giving everyone there fair say in how it is, an elected official is allowed to do other jobs whether we like it or not, that's how it is. Barb definitely and strongly opposes giving up her right to vote and completely agrees with Karen on that. She went on to say that she works two jobs she is sure that many of us have worked two jobs.

Donald Ash: Don stated that he is a resident of the Town and that he owns a business in the Village, he acknowledges that having the position appointed would give the Board a degree of control, maybe this is something that the Board desires, his preference though is to see the Highway Superintendent position remain as an elected position.

Sherri Presutti asked Robert Jones if he forgot Mike Trivisondoli, Robert Jones called on Mike.

Mike Trivisondoli: Mike said that the only thing he is going to say, as an elected official, is if the voters are unhappy with the performance that an elected official is doing, they will vote you out of office, it's the same thing with the Highway Superintendent position, if the voters are unhappy with the performance of the Highway Superintendent then when the opportunity rolls around then that person can change by the voters.

Linda Warner: Linda would like to add something since she was the first to speak. Linda added that she was an elected Village resident as well, at her job at the school she is expected to be there to earn her salary, her problem is not, you know, appointed or elected, this is setting a precedent, it is a State policy, it is not a Village or Town policy, anyone else could come in here and want to work two jobs, she does not work two jobs at the same time and she doesn't think anybody does, other than Kevin, she has a problem paying him \$70,000 or whatever his salary is and he is phone calling the Supervisor to see what is going on, that's the problem she has, that could continue with whomever is elected, that will happen because the precedent is set, you have 4 years to deal with that, paying someone that salary, working a job from the phone, yes he probably shows up once in a while but he probably makes good money where he is at too, she doesn't blame him a bit, he is making money. She stated that she is a proud democrat and she pounded the pavement to get people registered to vote, she is mad because she is paying a man working over somewhere else a nice salary for not being in this Town and Village, she doesn't care if he is taking care of business over the phone, that is wrong.

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Barbara Broughton: Barb stated that she is concerned with the precedent that she talks about at what point does it stop if you don't like the Clerks' hours or the Justice's hours. Barb is also concerned about, as the gentlemen from Howard spoke about, hiring from outside of the Town, that would be another Local Law, she believes you would have to have another Local Law to change the term from 4 years to 2 years, its not just saying we are changing from elected to appointed, that's the voters that will decide that then the Board decides to have a Local Law to change from 4 years to 2 years, you have your choice, we don't get a say in that, so we would lose even more voice in how long that appointment might even be for, we just keep losing.

Robert Jones asked if there was anyone else that wants to add to anything.

Terri Ross: Terri would like to discuss the precedent because she thinks, Fred has worked here for 30 years, his precedent has not been this type of activity, this is his last year of his career, he is retiring. When an elected official is elected, if they want to continue to be elected they do the job, its not saying that Fred is not doing the job now, he is just not doing it the same as before and that is his right as an elected official. She, herself, has been in an elected position for 40 years, her life has revolved around 4 year terms, if she didn't want the job then why would she care if she had more than one job, an elected official has a responsibility to the taxpayer, they are on call 24 hours a day and Fred has been doing the job, the precedent that is set is not the norm, and its not against the law, its ok, everyone at the table is a part time elected official, they have their own jobs, legislatures are part time elected officials, her job, if you really want to know it, she has to work one day a year to get her salary for a 4 year term because that's what an elected official does, your Senators, Congressmen all of those people are that way, they don't have to work 9 to 5, they don't have to work all day long but a good one is going to work every day of their career for the taxpayer, they took the oath of office to do that. She added that another thing about an appointed official is that they don't have to be a resident of this Town, that is wrong to her, they need to care about the community they live in and they need to do the job for that community, if you hire an outside person what do they care, they are just taking the taxpayers dollars and spending it somewhere else, it is important to keep that residency requirement, an elected official has that residency requirement. She's not saying if we are right or wrong, there are like 6 Towns in Allegany County that have appointed Town Highway Superintendents, it works for some, it might not work for others but there are definitely things you give up when you appoint an official instead of electing one, you need to take that into consideration. She then stated that she thought Jeremy Morton brought up a great point, whats this going to do to the Village taxpayer, if we have to hire a Village Highway Superintendent, a street supervisor, that will just add to the taxes in the Village and we all know our Village taxes are high, she thinks we do have to weigh it all out and she thinks its up to the people, if that's what you guys want to do is to vote on it then put it out there for a vote, whatever happens, happens she guesses.

Guy Starck: Guy stated that he doesn't know Jeremy Morton for anything, or any of the other guys, but they have known a hell of a job over the last couple of years, they are out plowing and sanding at 5:00 in the morning, he thinks they have done a wonderful job, they have no boss, when he comes down Gibson Hill with a trailer and it goes in a straight line because the Town of Angelica has been up there sanding they've done a wonderful job through the Winter without a Highway Superintendent, he thinks we should get refunded, the guy hasn't been here, he spent all Winter in Florida with Jimmy Reniff, that's all he had to say, send me some of the money.

Chris Geoppner: Chris stated that he really doesn't have an opinion either way on how this goes down. Some of the concerns he has are you don't really have the ability for a vote recall in the state of New York if someone is incompetent in their job, you have to wait for that position to become available, he added that it is getting harder and harder to find people in our community that meet a certain job requirement to do a certain task and

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role, if you limit the job to only the people who are residents in Angelica they just might not be qualified to do the job, they might not have the intelligence, they might not have the skill set, they might not have the training because they worked in the private sector and understood the construction trade, the concern that he has is, regardless if it is elected or appointed, what accountability does the Board itself have for this individual if they are just not going to do their job, an elected position, I am just going to sit on my ass and ride it out for what it is worth, what accountability do you have, as a Board, where you can kind of pull that person to the fire if they are not doing their job, there has to be some recourse here, there has to be some kind of contractual agreement, if they are going to run for this position and get elected by the people they have to understand that they have to meet a certain kind of requirement, hours of operation etc., that's what he doesn't agree on, you shouldn't be able to work 1 hour a day and get a full paycheck, if that's the case he is running and he doesn't think that would last very long, voters would be very upset that he would be running a business across town and take \$70000 a year off the tax payers, if that's an option he will run, he's qualified to do the job, it just doesn't make any sense to him.

Robert Jones stated that all he knows is, that's NYS Law, there's a lot of things that he does not agree with that goes on in NYS.

Terri Ross: Terri stated that she thinks the Town has control because they control the budget for the Highway Superintendent, no matter what the deal is the Town Board controls the budget, they set the salary for the Highway Superintendent, the County had a gentlemen that worked for the County for years, he didn't do a good job, they kept paying him but he never got a raise, the entire time he was there, his salary was set at the beginning and he never got a raise, he did his job but maybe not as good as someone wanted him too, but he was there, but the Board still has control, they control the budget of that department, the Highway Superintendent does not control that budget, the Board passes it and approves it, they set the salary. Robert Jones added that they sign the 284 form, as he does and that's what he can spend. Girard Kelly said to Terri that she is 100% correct but we can't control anything else, like Chris referred to, nothing. Terri said well you can, you still control his budget, Girard said I said that, you are right but we can't control anything else like him working elsewhere, taking taxpayers money and still getting paid, Terri said that he can't control you either so its hit or miss, you want a balance, Girard said hopefully soon.

Robert Jones said if no one else has any further remarks...

Richard Stewart: Richard said he will say one more thing, he said in the Town of Howard they appoint on an annual basis, its not a 2 year or 4 year, they just set what the term is, they appoint every January with other appointments, further more you can not change an elected positions salary during the term, so if you set the salary and then there is a conflict or anything else, they are still entitled to their salary until the end of their term even if they stay in Florida for four straight years. Barb Broughton asked him if they have a local law on the records that says you can do it one year at a time. He responded and said that it was done around 1975, it is Barbs understanding that it needs to be a local law, he added that you can put in there that you are only going to appoint within the township, there were then a few people talking over each other, Girard Kelly added that he believes that West Almond appoints every year, Barb Broughton added that she believes there was a local law to make that change. Leslie Haggstrom added that she would just be concerned with having a yearly appointment that you would really have trouble finding someone that is willing to disrupt their life, or move up to that job and then not having a job to go back to if he is not re-appointed, that is something you have to take into consideration also. Linda Button added that's the work force in general, do your job or you are done. Girard Kelly said well if they don't feel they can do the job then why would you take the appointment. Linda added

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that if she doesn't do her job she gets spoken to, Barb added right but you also have a contract and the union is holding you to that, the Town Highway Superintendent does not. Linda added that they will have, the Board said that, Girard added if they are appointed, Barb said right and if the Board doesn't like what they are doing then they are gone. Linda added that it depends on what is put in the contract, that is something that will be drawn up and discussed, she is sure that there are people who will want to sit in on that. Karen Ash asked if that would be privileged or contractual, would that be privileged, drawing up a contract for an appointed position, is that a document that taxpayers would have any say on? Girard answered that he believes it would be the Board. Robert Jones added that the attorney would draw it up. Karen asked how much would the attorney make if there were a contractual disagreement as this gentlemen brought up, there was missing items in the contract that ended up being interpreted differently by those involved and one of them walked away with \$25000, would the attorney also make money on that, the taxpayers could potentially lose if the contract has a disagreement? Girard Kelly added that you trust the attorneys to be sure all the legalities are in the contract, Karen Ash asked him not to interrupt her. The other thing Karen is concerned about is whether the people on the Board, now or in the future, have enough supervisory experience over a highly detailed or professional job such as a Highway Superintendent would have that you can reasonably expect to oversee that persons work. Girard Kelly responded absolutely, Robert Jones said yes. Girard Kelly said he was one for several years, Barb Broughton asked if she could ask a question Girard, did you work another job while you were doing that job, Girard said he was not being paid, Barb said did you never take money out of the store, he said no, he was there every day, every morning, every night – you need to get your facts straight Barb. Barb said you did not profit from that store in any way, in the end I did, heck yes, Barb said darn right you did. Linda Warner added he wasn't in Florida, Barb said no he was at the store so the guys had to come down and ask him what they needed to do for the day, there was a lot of talking over each other at this point.

Robert Jones added that we are not going to get side tracked like in prior meetings. Robert Jones reported that he was going to close the Public Hearing at 7:40 p.m.

Robert Jones added that the next order of business is whether this Board chooses to put this on the Ballot in November.

Girard Kelly just wanted to say a couple of words, he feels the same as everyone, let the people decide here, whether you are for or against, he has had a tremendous amount of people asking him what can we do about the current situation, he explains that the way the laws are in NYS they can't do a thing, he explains the appointed position, people understand and feel better about their taxpayer money. He added that yes an elected official can work two jobs but it's the taxpayers money, it's a different scenario here, theres a lot of different things going on here, he feels it would be a great thing to be an appointment in the future, his hope is that it will always be a resident but its hard to get anyone to run for an elected position anymore, he added that we are not taking away from the people, every two years this Board is up, run, you are more than welcome to run, that's your duty, that's your freedom to come and run so we are not taking away from your vote, because ultimately, the Board, if it does come to an appointment will decide that, if you aren't happy with that then run, express your feelings and vote.

Skip Hecker added that if he could say the reason for going this route is because he has been approached by more people about this situation and what we can do about it, we are doing the only thing we can do about it right now, give it to the people, let them decide, we are doing our job.

Robert Jones said ok, so what do you want to do.

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Elwyn Gordon added that in 1995 he worked for Rochester Gas and Electric, he supervised 90 men, the Village came and asked him if he would be interested in coming to work for the Electric department, at first he said no because he sat on the Village Board and he knew what their men were getting paid. Elwyn came to the Board meeting, Terri was there, Mike was there, I asked a bunch of questions and I threw a number across the table, they asked me when I could start. He is telling you right now that there are people out there that will come in and do a good job, he has been with the Village for 27 years, there is probably only one person in this room that doesn't think he is doing a good job and that is Jeremy Morton, if there is anyone else please raise your hand. Elwyn went on to say that Angelica Electric is probably the best thing we have going, he thinks we all agree on that, with two men running it, Angelica municipal has more line miles than any other municipal other than NYC, we have more transmission line than any other municipal, we take care of our substations to a certain extent, when he came here he engineered all the lines to be brought out of the boon docks, and brought up to the highway so they are accessible, he engineered that, they didn't hire engineers, they put in all the street lighting on Main Street, they got quotes of over a 1/4 million dollars to put a new system in, they done it in house for \$57000, which the state reimbursed us for almost all of that money, we have a line that was built from the Village out to our spring house in the Town of West Almond, we went into NYSEG territory, anybody that knows anything about that knows they are a franchise, you are not allowed to go into another franchise, we met with people from Hornell, engineers, they met with people in Binghamton and they gave them the go ahead, they built the line to the spring house it costs us \$60000 and it was quoted at almost \$300,000 to build that line. So there are people out there that will come in, he then asked Mike T. what he was smiling about, was he lying? Mike T. said no, he was smiling about the territory business because he remembers the ballard, Elwyn said he knows he does and he knows what was accomplished, they built transmissions, they put generations on the hill that started out at 7 million dollars at Hyland Landfill and Hyland paid for the whole shot and that went from 7 million to 11 million because of RG & E and NYS. Hyland built us a 345 KV line to come into our substation at no cost, they bought us two pieces of equipment at no cost, so there are people out there that will come in and do one hell of a job, you don't have to be elected or anything else, if they are interested in the job, they will do a good job, he has been here for 27 years, he doesn't have a problem, the first three years the Electric department didn't have any money, he didn't take a raise or turn in any overtime hours, you can't take money where there is no money. You guys need to keep that in your mind with this elected/appointed issue, there is two ways to look at it, he hears people say that you might not get someone who is competent enough, that's what this Board is for, that's what the Village Board is for that we could do our job when we came here. Elwyn stated that he just listens to the elderly people, they approach him and his answer is as an elected official we have no control over him and Terri says well you control the budget, well you know what if you start stripping back on the budget because you are not happy with your Highway Superintendent then who are you hurting, you are hurting the taxpayer, you aren't hurting the Highway Superintendent. He thinks people need to consider what is really going on here, that's all he has to say. He is not for or against it, the people want a voice and he feels that we are giving them a voice, if it gets voted down, not a problem, he doesn't have a problem with that, we will deal with whatever we deal with.

Robert Jones asked Don Case if he had anything to say, Don replied that he feels the three ladies said pretty much everything he felt, they did a good job.

Robert Jones said the Public Hearing is closed he wants to know what you want to do as a Board.

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Skip Hecker made a motion that we go with the referendum; seconded by Girard Kelly.

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Nay
Girard Kelly	Aye
Donald Case	Nay

Robert Jones reported that that concludes the very brief meeting after the Public Hearing.

Leslie Haggstrom then asked if this was advertised as a Special Meeting, Mike Trivisonoli asked if this was just a Public Hearing or also a Board Meeting. Leslie asked how it was advertised, Robert Jones responded as a Public Hearing. Terri Ross added then you can't make a vote. Robert Jones added that that will create an issue then. Sherri Presutti noted that we determined in January that we could have a 2nd meeting on the 4th meeting of the month if that was necessary, it was advertised in January that way. Robert Jones thought that maybe Rich Buck would be here tonight but we did advertise in January that a second meeting could be held on the last Monday of the month, not being an attorney, he doesn't know. Leslie Haggstrom said but it wasn't advertised, Sherri Presutti said it was in January, Leslie said not as a special meeting, for a special meeting you have to advertise it and say what the subject is going to be about and that there will be a vote on it. Robert Jones added that in the organization meeting in January we said that the meetings for the Town of Angelica will be the 2nd Monday of the month at 7:00 PM and the last Monday of the month if necessary, he looks at this as necessary. Leslie feels that that should still be publicly advertised so residents know this could be a regular meeting. Barbara Broughton asked if we have had other meetings on the 4th Monday of the month since January, Robert Jones said yes, Terri Ross said but not every month, right? Robert Jones said no not every month. Terri Ross added this meeting was advertised as a Public Hearing, not a special meeting, this could have been advertised that way. Robert Jones said that nobody caught that at the meeting on the 12th. Robert Jones stated that the regular August meeting is not until the 9th, Barbara Broughton added that is too late for the Board of Elections. Barbara Broughton added that you still have 2 and ½ years to get it on the ballot, its not like you are not able to put it on the ballot next year.

Robert Jones added that we will need to contact the Town Attorney regarding this matter, if he says this had to be advertised as a Public Hearing/Special Meeting then we will have to deal with that. Barb Broughton said the Board of Elections will need to know if the vote, if needed to be done at the next meeting, will hold over until next years General Election.

Robert Jones said we need to set this aside until we hear from our Town Attorney.

Robert Jones said we stand adjourned; seconded by Girard Kelly at 7:55 PM.

Respectfully submitted,

Sharon A Presutti
Town Clerk