

**APRIL 10, 2019, TOWN BOARD**

A regular meeting of the Town Board of the Town of Root, County of Montgomery and State of New York was held at the Town Hall, 1048 Carlisle Road, Sprakers, New York on the 10<sup>th</sup> day of April 2019.

PRESENT: LuEmma Quackenbush Deputy Supervisor  
Dominic Cuomo Councilman  
John Thayer Councilman  
John VanKersen Councilman  
Laurel Eriksen Town Clerk  
Robert Subik Attorney  
Donald Oeser Superintendent of Highways

ABSENT: Gary Kamp Supervisor

OTHERS PRESENT: Bob Harris, Assessor; Clifton Dorrough, Code Enforcement Officer; Tom Eriksen, Justice; Richard Bingham, Planning Board Member; Members of the Root Historical Society; Debbie Buck, reporter Courier-Standard-Enterprise; many residents

Deputy Supervisor Quackenbush opened the meeting at 7:00 PM with the pledge to the flag.

**EXECUTIVE SESSION**

Councilman Cuomo motioned seconded by Councilman VanKersen to go into executive session for a client, attorney consultation with regard to the claim against the Town and to include the Town Clerk and special counsel John Bailey, Esq. at 7:04 PM.

Councilman VanKersen motioned seconded by Councilman Thayer to come out of executive session at 7:19 PM.

**APPROVAL OF THE MINUTES**

Councilman VanKersen motioned seconded by Councilman Thayer to approve the minutes from the March 13, 2019 meeting as presented.

Ayes 4 – Quackenbush, Cuomo, Thayer, VanKersen Nays 0

**AGENDA**

Councilman Thayer motioned seconded by Councilman VanKersen to adopt the agenda and to change the order of the meeting moving new business to the front.

Ayes – Quackenbush, Cuomo, Thayer, VanKersen Nays 0

**NEW BUSINESS**

**RESOLUTION #4 of 2019**

BOARD MEMBER Cuomo presented the following resolution and moved its adoption. RESOLVED that the RELEASE and SETTLEMENT AGREEMENT prepared by Special Counsel John W. Bailey, Esq. in the matter of the claim of Mr. Toften and Mr. Hurd and

presented to the Board is hereby approved and the Town Supervisor or his Deputy is hereby authorized to sign same.

SECONDED BY BOARD MEMBER Thayer.

Adopted by the following vote:

Ayes – Quackenbush, Cuomo, Thayer, VanKersen                      Nays 0  
Town Clerk Eriksen read the following statement:

“In my capacity as town clerk, it is my responsibility to provide marriage licenses to all couples, regardless of sex or sexual orientation, so long as they meet all applicable New York State legal requirements. As such, my office, and I personally, will issue marriage licenses to any couple, without exception, who is legally entitled to be issued one. On July 30th of last year, there was an unfortunate incident involving Mr. Thomas Hurd and Mr. Dylan Toften who came to my office seeking a marriage license. I am sorry for any harm or inconvenience my actions caused the couple.”

There was no further new or old business for the meeting.

#### REPORTS

Reports were available from the Code Enforcement Officer, the Justice and the Bookkeeper.

There were no reports from the Dog Control Officer, the Assessor, the Highway Superintendent, and the Supervisor.

The Town Clerk the tax rolls have been return and the Town has balanced with the County for the 2019 tax collection season.

The Attorney stated that he has completed the deed for the old Town Hall giving ownership of the building to the Historical Society. This will be handled in the may Town Board meeting.

The Planning Board reported that they had received paperwork from the County regarding the former MOSA landfill. They have forwarded this information to the Board of Appeals.

#### ABSTRACTS

Abstract #4 of the general fund for vouchers numbered 75-104 were audited and ordered paid. Paid abstract total was \$26,710.79.

Abstract #4 of the highway fund for vouchers numbered 48-57 were audited and ordered paid. Paid abstract total was \$52,173.46.

Councilman VanKersen motioned seconded by Councilman Thayer to accept the audit of abstract #4 of the general fund in the amount of \$26,710.79 and abstract #4 of the highway fund in the amount of \$52,173.46. The vote was unanimous.

#### ADJOURN

Councilman VanKesen motioned seconded by Councilman Thayer to adjourn at 7:36 PM.

Respectfully Submitted,  
Laurel Sherrie Eriksen, Town Clerk